



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

### Usage guidelines

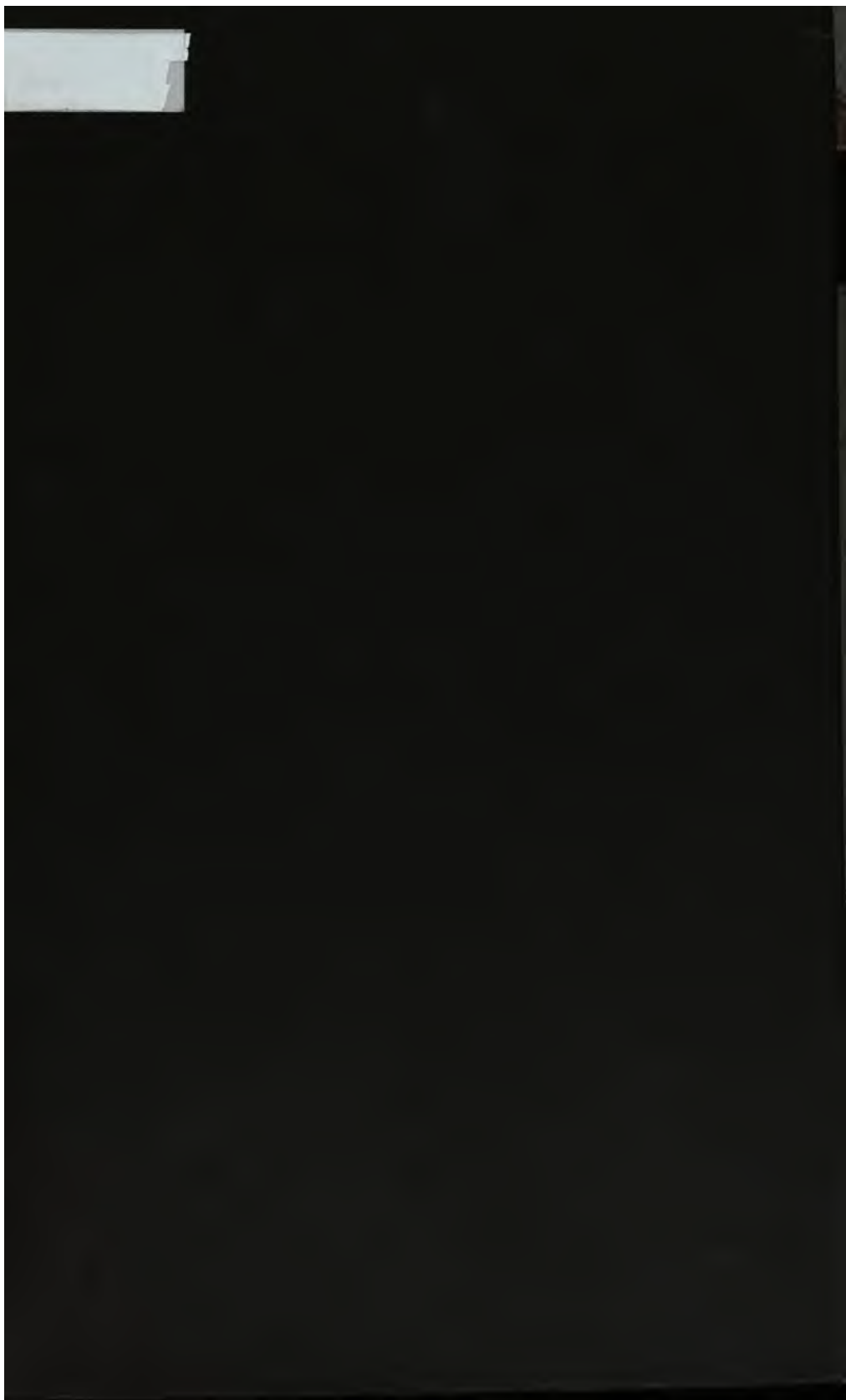
Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

### About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>



40 S.  
Cullen

יהוה











**THE BOOK OF  
THE COVENANT IN MOAB**



71.3  
PUBLISHED BY  
JAMES MACLEHOSE AND SONS, GLASGOW,  
Publishers to the University.

---

MACMILLAN AND CO., LTD., LONDON.  
*New York, . . . The Macmillan Co.*  
*London, . . . Simpkin, Hamilton and Co.*  
*Cambridge, . . . Macmillan and Bowes.*  
*Edinburgh, . . . Douglas and Foulis.*

---

MCMIII.

# THE BOOK OF THE COVENANT IN MOAB

A CRITICAL INQUIRY INTO THE  
ORIGINAL FORM OF DEUTERONOMY

BY

JOHN CULLEN, M.A., D.Sc., EDIN.

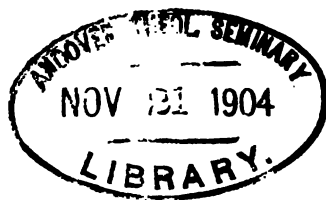
GLASGOW

JAMES MACLEHOSE AND SONS

PUBLISHERS TO THE UNIVERSITY

1903

C



55,172

GLASGOW: PRINTED AT THE UNIVERSITY PRESS BY  
ROBERT MACLEHOSE AND CO.

## PREFACE

THE following study is definitely limited to one aspect of Deuteronomy. It does not include any attempt to expound the teaching of the book as a whole, or to investigate the question of its date, or to describe it in its relations to the rest of the Hexateuch. As the title indicates, the proposed inquiry is concerned with the formation of Deuteronomy as a literary composition. In dealing with this topic, an effort has been made to adhere as far as possible to a consecutive line of argument, though it must be premised that owing to the somewhat intricate nature of the subject matter, frequent cross references have been unavoidable. Again, anything like a comprehensive statement of the many different views that have been held concerning the structure and development of Deuteronomy could not have been given without altering the character and greatly increasing the dimensions of this volume: those only are referred to, therefore, that happen to come directly under notice in the course of the discussion.

The subject of inquiry may be defined as follows:—  
Assuming that the Book of Deuteronomy, while con-

taining a large amount of older material, is, as a separate production, the literary precipitate of a period of religious reform inaugurated in the reign of Josiah, is it possible to determine what part or parts of it constituted the pioneer document of this movement, and from the point of view thus attained to give an intelligible account of the subsequent process of growth by which the book reached its present condition?

The theory here set forth in reply to the above question differs radically from that which has come to be regarded almost as a tradition of criticism. It is to be hoped, however, that this may not prevent it being considered on its merits. The results arrived at are put forward, not in any spirit of dogmatic assurance, but with a sincere desire to promote in some degree the elucidation of one of the most interesting, and at the same time most perplexing problems of the Old Testament.

*10th September, 1903.*

## LITERATURE

Introductions to the Old Testament by Bleek-Wellhausen, 1878; Cornill, 1896; Driver, 1897; König, 1893; Kuenen (German), 1887; Strack, 1898; and Introduction to the Hexateuch by Holzinger, 1893.

Commentaries on Deuteronomy by Bertholet, 1899; Dillmann, 1886; Driver, 1902; Oettli, 1893; Steuernagel, 1898.

---

Addis, W. E., *The Documents of the Hexateuch*, I, 1892, II, 1898.

Bacon, B. W., *The Triple Tradition of Exodus*, etc., 1894 (pp. 247-278).

Baentsch, B., *Das Bundesbuch, Exod. XX, 22—XXIII, 33*, 1892.

Budde, K., *Die Gesetzgebung der mittleren Bücher des Pentateuchs*, 1891; in the *Zeitschr. für die alttest. Wissenschaft*, XI, 193 ff.

Cheyne, T. K., *Jeremiah, his life and times*, 1888.

D'Eichthal, G., *Mélanges de Critique Biblique*, 1886 (pp. 80-348).

Dillmann, A., *Über die Composition des Hexateuchs* (pp. 593 ff. of the above Commentary).

Hollenberg, J., *Die deut. Bestandtheile des Buches Josua*, 1874; in *Stud. u. Kritik.*, XLVII, 462 ff.

Hoonacker, A. van, *L'Origine des quatre premiers chapitres du Deutéronome*, 1889.

Horst, L., *Études sur le Deutéronome*, 1887-1893; in the *Revue de l'histoire des Religions*; *Tomes XVI*, 28 ff., *XVII*, 1 ff., *XVIII*, 320 ff., *XXIII*, 184 ff., *XXVII*, 119 ff.

- Kleinert, P., *Das Deuteronomium u. der Deuteronomiker*, 1872.
- König, E., *Die Hauptprobleme der altisrael. Religionsgeschichte*, 1884 (pp. 38-88).
- Kosters, W. H., *De Historië-Beschouwing van den Deuteronomist met de Berichten in Genesis-Numeri vergeleken*, 1868.
- Kuenen, A., Various articles in the *Theologisch Tijdschrift*, viz., XI, 467 ff., *De aanwijzing der vrijsteden in Jos. XX*; 478 ff., *De stam Manasse*; XII, 297 ff., *De godsdienstige vergadering bij Ebal en Gerizim*; 545 ff., *De uitzending der verspieters*; XIV, 281 ff., *Manna en Kwakkeln* (esp. pp. 287 ff.); XV, 164 ff., *Israel bij den Sinai*; XXII, 15 ff., *De jongste Phasen der critiek van den Hexateuch*, II (criticism of Dillmann's views).
- Smend, R., *Lehrbuch der alttest. Religionsgeschichte*, 1893 (pp. 263-302).
- Stade, B., *Geschichte des Volkes Israel*, 1893 (I, pp. 116 ff., 148 ff., 649-671).
- Steinthal, H., *Die erzählenden Stücke im fünften Buch Mose*, in the *Zeitschrift für Völkerpsychologie u. Sprachwissenschaft*, XI, XII, XX.
- Staerk, W., *Das Deuteronomium, sein Inhalt*, etc., 1894.
- Steuernagel, C., *Der Rahmen des Deuteronomiums*, 1894.
- Valeton, J. J. P., Six articles in the *Studiën* published in connection with the *Theologisch Tijdschrift*, Nos. V, VI, VII, 1879 ff.
- Vernes, M., *Une nouvelle hypothèse sur la composition du Deutéronome*, 1887 (an appreciation of the above posthumous work of D'Eichthal).
- Wellhausen, J., *Die Composition des Hexateuchs*, 1889.
- Westphal, A., *Les Sources du Pentateuque*, I, 1888, II, 1892.

## CONTENTS

	PAGE
<b>I. THE ORIGINAL FORM OF DEUTERONOMY :</b>	
§ 1. Introductory, - - - - -	I
§ 2. Deuteronomy XXVIII, 69—XXIX, 14, - - -	22
§ 3. Deuteronomy IV, 10-26, - - - - -	40
§ 4. Deuteronomy V, 29—XI, 28, - - - - -	71
§ 5. Deuteronomy XXVI, - - - - -	79
§ 6. Deuteronomy XXVII, 1-8, - - - - -	95
§ 7. Deuteronomy XXVIII, 1-45, - - - - -	102
§ 8. Deuteronomy XXX, 11-20, - - - - -	109
§ 9. Exodus XXIV, 4-8, - - - - -	115
§ 10. Deuteronomy XXXII, 45-47, - - - - -	129
§ 11. Summary, - - - - -	132
§ 12. Deuteronomy XII-XXV in relation to VI-XI, etc.,	132
 <b>II. THE SUBSEQUENT GROWTH OF THE BOOK OF DEUTERONOMY :</b>	
§ 13. The Lawcode, - - - - -	147
§ 14. The First Combined Edition of the <i>Miṣvah</i> and the <i>Torah</i> , - - - - -	160
§ 15. The Second, or Decalogue Edition, - - -	171



II. THE SUBSEQUENT GROWTH OF THE BOOK OF  
DEUTERONOMY—*Continued.*

	PAGE
§ 16. The Third, or Minatory Edition, - - -	177
§ 17. Exilic Redaction, - - - - -	182
§ 18. Post-Exilic Additions, - - - - -	191
§ 19. P Redaction, - - - - -	199
§ 20. Conclusion, - - - - -	200

APPENDIX :

I. The Book of the Covenant in Moab, - - -	213
II. The Original Environment of the Lawcode, -	231
III. Outline of the First Combined Edition, - -	234

## I.

### THE ORIGINAL FORM OF DEUTERONOMY

#### § 1. INTRODUCTORY.

A SLIGHT examination of the book of Deuteronomy is sufficient to shew that it does not form a homogeneous whole, but consists of a number of documents, or portions of documents, varied in character, though nearly all more or less pervaded by the same tone, and employing similar phraseology. A closer investigation must convince the student that some, at least, of these documents were brought into their present connection by a process of mere juxtaposition, without any attempt being made to fuse them into a literary unity, or to remove from them even the most palpable indications of their originally separate existence. If this condition of the book makes the critical analysis of its contents not a little puzzling, it may fairly be considered, on the other hand, to afford the assurance that the compilers of it have been guided by an honest and painstaking desire to preserve intact, so far as possible, all the material at their disposal. Hence the attempt to exhibit this material in its original form and sequence, while undoubtedly beset by many difficulties, may at all events be assumed to be free from what

## 2 ORIGINAL FORM OF DEUTERONOMY

would have been the greatest difficulty of all, a comprehensive remoulding of it in accordance with later ideas.

The question as to what part or parts of our present book of Deuteronomy constituted the original document by means of which the great reform of the seventh century was inaugurated, is important, because of the consequences which follow upon the answer given to it for an understanding not only of the book itself but of that most vital stage in the religious development of Israel which it represents. If the book of Deuteronomy may be said to lie before us like a tangled skein, it may be added that in attempting the work of disentanglement, a great deal depends upon getting hold of the right end of the thread.

It may be convenient to say a few words at the outset regarding a critical method which has of late years been brought to the front, chiefly by Staerk & Steuernagel, in connection with the study of Deuteronomy, and which recognises as a dominant principle of analysis the distinction observable throughout the book in the use of the 2nd person singular and the 2nd person plural, when the subject of address is the nation. While this distinction may sometimes assist the analysis in a subordinate degree, it appears to us a mistake to elevate it to a really important place, or to make it the starting point of the analytic process, for the following reasons: (1) Even on the assumption that the use of the singular and plural respectively was originally uniform within the various documents, yet in the course of piecing together, arranging, and rearranging them, not to mention the work of ultimate redaction and of copying, it would be only reasonable to suppose that a purely formal detail of this kind must have been

peculiarly liable to alteration : but (2) when we consider the comparative freedom with which the redactors of Old Testament books dealt with the text, often effecting changes in matters vastly more important than the mere number of the second person, it is not conceivable that they would have tolerated such a continual oscillation between the singular and plural as we find in the book of Deuteronomy, if it had really offended their literary sense. The very fact, then, that we find in the book such a want of continuity in the verbal and pronominal numbers proves that ancient Hebrew writers and editors saw nothing objectionable in it. But the literary sense which failed to correct those variations would, according to all analogy, tend to produce them. Thus the foundation on which any reconstruction guided by such a principle of analysis rests is bound to be unstable. (3) This is confirmed by an examination of the rest of the Old Testament, there being no ground for concluding that the writers always followed a systematic plan in their use of the verbal and pronominal persons when the nation was the subject of address. On the contrary, there appears to be decisive evidence to shew that they often varied these forms without any apparent motive except, perhaps, a desire to avoid uniformity. (4) Finally, it may be contended that to elevate a detail of form of this kind into anything like a norm of analysis for an Old Testament book is a departure from the true principles of historical criticism, whose proper field must always be first of all the ideas, the subject matter, and the language of a composition. To subordinate these to a trifling item of literary technique is to reverse the true order of procedure, and must tend to obscure and confuse larger and more important issues. We propose, therefore, in the

#### 4 ORIGINAL FORM OF DEUTERONOMY

following pages to deal with the subject matter and the substantial literary phenomena of the documents, leaving the distinction in question to throw any light it may upon the conclusions arrived at.

The view most commonly held by critical writers on the subject of the original Deuteronomy is that the book found in the temple by Hilki'ah, as described in 2 Kings XXII, consisted mainly of Deut. V-XXVI. Wellhausen, following earlier critics, considered that the code of laws, XII-XXVI, alone constituted the original work; the two preceding sections, I-IV and V-XI, being two prefaces, written respectively for two "enlarged editions" issued at subsequent periods. Thus the first of those editions, he held, consisted of I-IV, XII-XXVI, XXVII, and the second of V-XI, XII-XXVI, XXVIII-XXX.<sup>1</sup> It was soon perceived, however, that XII-XXVI, taken by itself, hardly fulfilled the requirements of the original reform document. Kuenen pointed out that according to the narrative of 2 Kings XXII, XXIII the book found in the temple was at once accepted as authoritative, as indeed is evident from the effects it produced. This fact could only be accounted for on the supposition that it contained a clear and unmistakable assertion of its Mosaic origin. Now, while in XII-XXVI there is, no doubt, an underlying assumption that Moses is the speaker, the necessity is felt, in order to meet the above condition, for some explicit declaration to that effect. Again, XII-XXVI does not contain the Decalogue, and Kuenen contended that the publication of the lawcode as a basis of reform, without the Decalogue, was inconceivable. Hence he argued that although V-XI might not have been written at the same time as XII-XXVI, in any case

<sup>1</sup> *Comp. Hex.* p. 195.

the latter section could never have been published without the former, which was written as an introduction to it, probably by the same author.<sup>1</sup> These considerations have in the end prevailed, so that at present critics for the most part hold Kuenen's view, either with or without modifications, viz., that the original Deuteronomy consisted of v-xxvi, the section v-xi having been written as a prologue to the lawcode, xii-xxvi.

The first objection to this theory occurs on a simple perusal of the two sections one after the other. How could it ever have occurred to any writer, above all the writer of xii-xxvi, to compose for the lawcode a prologue such as v-xi? If its length alone in comparison with that of the lawcode staggers us, its general character must surely do so still more. For, taking it as it stands, it is not at all mainly historical or explanatory, but didactic and hortatory. Instead of confining itself, as we might have expected, to setting forth the circumstances in which the laws were promulgated, and emphasising their Mosaic authority, this so-called prologue itself recites quite a number of definite commands, without referring to the fact that these are to be given in another form subsequently. And in its reiterated appeals to the nation to be obedient, faithful, etc., it is equally self-contained, for anything that appears to the contrary,—unless, indeed, it be the mere use of the terms “statutes and judgments.”

Wellhausen says, “The laws begin with chap. xii. Previously, Moses is always *going to* come to the matter in hand, but never comes to it. . . . He is always talking about ‘statutes and judgments which I

<sup>1</sup>*Einl.* I. § 7, note 11.

## 6 ORIGINAL FORM OF DEUTERONOMY

shall command you this day,' but one never gets to know what they are."<sup>1</sup> Certainly, if one begins by translating the present participle of the verb "command" by the future tense "shall command," thus compelling the author of V-XI in spite of himself to refer in his exhortations to some other injunctions than those which he is actually engaged in imparting, his discourse may well appear to merit so disparaging a criticism. But to do so is, of course, to assume the very point at issue. The writer uses a verbal construction throughout, "this commandment which I am commanding you this day," which might, indeed, refer to the immediate future, as it might also refer to the immediate past, but which is, at all events, the only one he could have used to refer to the immediate present, and to express the fact, if it was a fact, that it is these very commands which he is engaged in imparting that form the subject of his entreaties. Wellhausen further says, "It is hardly possible that this long introduction, chaps. V-XI, with its perpetual demand for the observance of commandments which have not yet been made known, and are only partly anticipated in substance, can be of the gist of the matter, hardly possible that it can belong to the original constituent element of the lawbook. Its author appears rather only to be able to refer continually in a preliminary way to 'the commandments which I shall command you this day,' instead of imparting them, because in point of fact they already lay before him as a written document, which he was merely supplying with a preface. Is it possible otherwise to understand why he (XI, 26 ff.) even announces the blessing and the curse for the keeping or transgressing of laws that have not yet been given at

<sup>1</sup> *Comp. Hex.* p. 193.

all? I do not think so.”<sup>1</sup> But if we temporarily exclude XII-XXVI from our view, we shall find nothing in the contents of V-XI, unless,—as we have said, it is the mention of “statutes and judgments,”—to necessitate the conclusion that the author does not know his own business, or is engaged in an elaborate beating of the air. The section contains quite a sufficient number of definite injunctions to explain his frequent phrase “this Commandment which I am commanding thee this day.” If it be seriously contended that the addition of the terms “statutes” and “judgments” to the word “Commandment” is in itself a convincing proof that section V-XI, was originally composed as an introduction to the lawcode, it may be sufficient for the present to point out that this kind of verbal elaboration is just what we might expect from the hand of the redactor, who, in placing V-XI in its present position, obviously did so with the intention that it should serve, and be regarded, as a prelude to the laws contained in XII-XXVI.

Apart, however, from this negative objection to Kuenen’s theory, viz., that an examination of V-XI reveals no substantial ground for the assumption that these chapters were composed as an introduction to XII-XXVI, there are other more formidable difficulties of a positive character. For example, how does it come about that in this supposed prelude to the lawcode we find so important a group of laws as the Decalogue? It has been attempted to explain this by saying that while the Decalogue is on historical grounds placed at the commencement of chap. V, the laws contained in it find their practical application in XII-XXVI. But this theory is at once negated by


<sup>1</sup> *Comp. Hex.* p. 194.



## 8 ORIGINAL FORM OF DEUTERONOMY

the consideration that it is opposed to the plain facts of the case. In the first place, there is no allusion to the Decalogue in XII-XXVI, nothing that implies an appeal to its authority on the part of the writer, nothing that indicates its presence in an earlier portion of the work. Now, even if it be argued that the writer takes the Decalogue for granted, it must still appear surprising that he does not in some way exhibit a knowledge of its existence as the most prominent part of the prelude to his lawcode. Again, he deals with matters coming within the scope of some of its commandments: but why only of some, and why does he omit all reference to the subject of the Sabbath, for instance? Examine this question as we may, the entire want of any relation between the fact of the Decalogue's presence in chap. v and the contents of XII-XXVI is inexplicable on any theory that assumes the conjunct origin of V-XI and XII-XXVI.

But further, when we consider the purpose of the writer in these two sections respectively, it becomes evident that there is an important difference between them. In V-XI that purpose is to secure the loyalty of Israel to Jahveh, to persuade the people to be obedient to His commands, to make them conscious of their dependence upon Him for their welfare. In pursuance of this aim, he urgently warns Israel against the worship of other gods, viz., the gods of the heathen nations with whom they are about to be brought into contact through the conquest and occupation of Canaan: he commands Israel to destroy their altars, their images, and their *maṣṣebot*, as constituting the embodiment of the heathen worship they will find carried on there. But he does



not command Israel to destroy "the places" where such worship has been practised.

In XII-XXVI, on the other hand, the point of view appears to be different, not, indeed, in the sense of being opposed to that of V-XI, but certainly in the sense of bringing to the forefront additional considerations of a novel character, upon which the principal stress is laid. The writer here begins at once with the command (XII, 2) "Ye shall surely destroy all the *places* wherein the nations which ye shall possess served their gods, upon the high mountains, and upon the hills, and under every green tree." False gods, and temptations to idolatry are fully dealt with, but the manner of dealing with them suggests the thorough-going application of a principle already accepted, rather than a fundamental appeal on behalf of the principle itself. Above all, however, the chief defect in the national worship according to this section is apparently not so much the worship of false gods, as that Jahveh is not always worshipped in the right place. The most characteristic note struck in XII ff., as is universally recognised, is the necessity of centralising the national worship in "the place which Jahveh shall choose,"—*i.e.*, the temple at Jerusalem. To inculcate this centralisation of the cultus is undoubtedly the foremost interest and aim of the lawcode. Thus, Staerk calls the law bearing upon it "the soul of the entire Deuteronomy."<sup>1</sup> How does it happen, then, that this particular note is entirely absent from the section supposed to have been written as an introduction to the lawcode? The phrase "the place which Jahveh shall choose" occurs nearly twenty times in the latter, but not only is the phrase never found in

<sup>1</sup> p. 3.

## 10 ORIGINAL FORM OF DEUTERONOMY

v-xi,—the very idea is non-existent. Now, why should the writer of this 'prologue,' who deals so extensively in exhortations which are supposed to be preparatory to the ensuing body of laws, have yet absolutely ignored the very point which everybody admits is the principal point in that body of laws? In view of the very fact that his composition is mainly hortatory and not historical, it seems altogether inconceivable that the idea which is "the soul" of the lawcode should not have found some embodiment in his pages.<sup>1</sup>

The above considerations may lead us now to ask the question,—which of those two sections of Deuteronomy, looking at them broadly, has, *a priori*, the stronger claim to be considered the earlier in date of composition? If we have two reforming documents, in one of which the principal aim is to secure that Jahveh shall be worshipped and not other gods, while in the other the principal aim is to secure that Jahveh shall be worshipped in the right place, it seems probable that the former was the earlier. We may even go further and say that a dispassionate view of the two sections leaves on the mind the impression that the law centralising the cultus is a descent to a narrower point of view, as compared with the sublimely comprehensive

<sup>1</sup> Since the above was written, we find that the argument here stated has been anticipated in similar terms by M. Vernes (*Nouvelle Hypothèse*, p. 14), as follows :—"When once the separation of the hortatory discourse from the lawcode is established, one sees clearly that each of them has quite a different object in view. The discourse enjoins the exclusive worship of Jahveh, and proscribes Canaanitish idolatry, but it preserves the most absolute silence regarding the establishment of a unique place of worship in 'the place which Jahveh shall choose.' In the lawcode, on the contrary, and especially in its initial portion, the establishment of a central and unique sanctuary is the predominant interest of the writer."

---

teaching of VI, 1 ff., a development necessary, no doubt, for practical purposes, but hardly in keeping with the spirit of the hortatory section. Such a passage as, "And these words which I command thee this day shall be upon thine heart: and thou shalt teach them diligently to thy children, and shalt talk of them when thou sittest in thine house, and when thou walkest by the way, and when thou liest down, and when thou risest up," seems more in harmony with the assurance, "in every place where I record my name I will come to thee and bless thee," than with a law concentrating all acts of worship in the one "place which Jahveh shall choose."

Again, on the score of originality, and of their significance for the religious development of Israel, there is hardly any room for a comparison between the two sections at all. The lawcode can be demonstrated to be so dependent upon the earlier code of Exod. XXI-XXIII, as to be little more than an enlarged edition of it, *plus* the enactment of the centralisation of the cultus. On the other hand, notwithstanding the tendency, from Wellhausen onwards, to depreciate the hortatory section on account of its diffuseness, repetition, etc., it is a remarkable fact that whenever any modern writer dealing with the book of Deuteronomy endeavours to describe what, in his opinion, constitutes the most original, distinctive, and permanently valuable element in it, he almost invariably does so in terms that are mainly referable to the contents of this section. Thus Driver, who substantially takes Kuenen's view, speaking of the book as a whole, says, "When once Deuteronomy is viewed in the light of the age which gave it birth, its true significance appears. It was a great manifesto

## 12 ORIGINAL FORM OF DEUTERONOMY

against the dominant tendencies of the time. It laid down the lines of a great religious reform. . . . it was a nobly conceived endeavour to provide in anticipation a spiritual rallying point, round which, when circumstances favoured, the disorganised forces of the national religion might range themselves again. It was an emphatic reaffirmation of the fundamental principles which Moses had long ago insisted upon, loyalty to Jehovah and repudiation of all false gods: it was an endeavour to realise in practice the ideals of the prophets, especially of Hosea and Isaiah, to transform the Judah demoralised by Manasseh into the 'holy nation' pictured in Isaiah's vision, and to awaken in it that devotion to God, and love to man which Hosea had declared to be the first of human duties. In setting forth these truths, the author exhausts all his eloquence; in impressive and melodious periods he dilates upon the claims which Jehovah has upon the Israelite's allegiance, and seeks, by ever appealing to the most generous and powerful motives, to stir Israel's heart to respond with undivided loyalty and affection."<sup>1</sup> Not a word of this admirable description would require to be altered, even supposing Deut. XII ff. did not exist at all, and that the entire work consisted simply of chaps VI-XI. Again, the same writer says, in a passage which is quoted with approval by Bertholet, "The new element in Deuteronomy is thus not the laws, but their *parenetic setting*. And even this is new, not in substance, but only in form. The point of capital importance in Deuteronomy is the attitude of the nation towards Jehovah: throughout the discourses the author's aim is to provide motives by which to secure loyalty to Him."<sup>2</sup> Westphal says, "One great

<sup>1</sup> *Intro.* p. 89.

<sup>2</sup> *Ibid.* p. 91.

thought dominates all the book: the love of God for Israel. It is this thought that directs the historian in his narrations, the prophet in his appeals, the legislator in his code. The author is only moved by one desire: to bring Israel to love God with all his heart, with all his soul, and with all his might. Apart from this, everything is secondary."<sup>1</sup> Kuenen himself says, "Just as Josiah begins his epoch-making reformation by causing the nation to accept the 'covenant' between Jahveh and Israel, so there lies at the foundation of Deuteronomy the obligation that the Israelite shall 'love Jahveh his God with all his soul and with all his might,'—an injunction which constitutes the first and last word of the work in which it appears."<sup>2</sup>

Looking at the question from this point of view then, we may further ask, what *kind* of writing would be more likely to come first in connection with such a reform movement as is assumed to have taken place under Josiah,—a body of laws, greatly elaborated, and dealing with a multitude of miscellaneous subjects, many of them wholly unrelated to the great object in view,—or a hortatory appeal, dealing almost exclusively with the one vital question of the nation's attitude towards Jahveh, and emphasising the outstanding conditions of loyalty to Him with the iteration of an intense and practical earnestness? A new lawcode is usually not the instrument, but the outcome of a successful revolution. When the fate of a nation is hanging in the balance, when the one all-absorbing question is whether it will take a great step forward in the path of rectitude or liberty, any literary publication dealing with the crisis is likely to be limited in scope,

<sup>1</sup>Tome II, p. 41.

<sup>2</sup>*Godsdienst van Israel*, I, p. 448.

## 14 ORIGINAL FORM OF DEUTERONOMY

though fundamental in character. It is, indeed, quite likely to be distinguished by repetition, a repetition that may seem unnecessary and even tedious to the philosophic historian who examines it long afterwards in cold blood, but a repetition that once embodied a very real enthusiasm for something new. It is quite likely to be characterised by unity of purpose rather than of design, as it presses home its one great appeal. But it is not, we venture to say, so likely to appear in the guise of a comprehensive legislative programme, which, in tones of conscious power, and with the calm circumspection of established authority, provides simultaneously for the most diverse contingencies, and enters with deliberate foresight into the most minute details.<sup>1</sup>

In reply to this, however, it will be said that we must take into consideration the special circumstances of this particular revolution. It originated, did it not, in the discovery and resuscitation of a lawbook, which was regarded as dating from the time of

<sup>1</sup> It is quite remarkable how writers who recognise the force of this consideration in regard to other subjects, fail to apply it to the case of Deuteronomy. Thus Baentsch in his *Bundesbuch*, only a few pages after he has emphatically expressed (p. 3) the opinion that Deut. XII-XXVI constituted the original kernel of the book, says (pp. 7 f.) in the course of his argument for the post-Mosaic origin of the lawcode contained in Exod. XXI-XXIII, "A law is not made *a priori*, but arises out of given conditions: a law does not fall suddenly from heaven, but grows out of habit, custom, and observance. In a law the result of a development, perhaps stretching over many years, is crystallised. . . . A legislation never opens up a new era of historical development, but this is always effected by divinely-gifted Personality, and the lofty divine Thought that lightens from its brow. A legislation is ever only the precipitate of such a thought, of an idea. It arises through the gradual subordination of all the relationships and connections of life to the domination of this idea." Excellently said, no doubt, but why except Deuteronomy from the application?

Moses? The document so discovered, therefore, could only have met the common expectation, and fulfilled the part assigned to it, by being, in point of fact, a lawbook. And as the very supposition, on the ground of which it obtained its authority, was that it had been composed under conditions wholly different from those of the age in which it was found, the fact that it was of a comprehensive character, containing many enactments besides those directly applicable to a work of reform in the seventh century, would not only be quite appropriate to the function it had to discharge, but even necessary in order to support its claims.

This leads us, then, to inquire what light we can get upon the nature of the original Deuteronomy from sources external to the book itself. These sources are chiefly two, the narrative of 2 Kings XXII, XXIII, and the writings of Jeremiah.

(1) The narrative of 2 Kings XXII, XXIII. Notwithstanding all the criticism that has been directed in recent years against the historicity of various parts of it, this narrative still forms, even as regards its details, consciously or unconsciously, the basis of nearly all the prevailing theories on the subject of the original form of Deuteronomy. That the book found in the temple is at the very outset called the "book of the *torah*,"—"torah" being the term by which Deut. XII-XXVI designates itself (XVII, 18, 19); that the king "rent his clothes" on hearing it read,—presumably on listening to the terrible prophecies of destruction in chap. XXVIII; that he abolished the "high-places" as well as the heathen altars and images,—thus centralising the cultus as commanded in XII ff.; and finally, that "he commanded the



## 16 ORIGINAL FORM OF DEUTERONOMY

people, saying, Keep the passover of Jahveh your God, as it is written in the book of the covenant,"—the passover holding a specially prominent place in XII-XXVI;—all these things taken together are generally accepted as placing it beyond the possibility of doubt that whatever else the original Deuteronomy contained, at least XII-XXVI, XXVIII formed part of it.

And yet without impugning the historicity of this narrative as a whole, it may be pointed out that the above assumption is dependent upon a single statement which does not enter into the substance of the matter,—viz., that all those occurrences *took place at the same time*, in the eighteenth year of Josiah's reign. But this statement is precisely one of a kind that all analogy and experience might lead us to doubt. It is just the sort of statement that a later historian might make with perfect honesty, as a conclusion of his own, and yet be mistaken.

Horst has called attention to the circumstance that it is nowhere mentioned in the narrative that Josiah destroyed the altars and high-places at Jerusalem in order to apply the principle of the centralisation of the cultus, but that on the face of the narrative he would appear to have done so in order to put an end to the religious syncretism in vogue.<sup>1</sup> And certainly, in view of the explicit and emphatic manner in which that principle figures in Deut. XII, it seems remarkable that we should only have to infer its existence from an incidental allusion to the destruction of high-places in the narrative of 2 Kings, and that there should be no express mention of it as a guiding motive, or as an end in view. Again, Josiah reigned

<sup>1</sup> R. H. R. xxvii, p. 167.

for thirteen years after his eighteenth year, and yet nothing is said of any further reforms being carried out during this period. But is it conceivable that there were none of importance? Is it in accordance with, we will not say the probabilities, but the possibilities of the case, that so radical and far-reaching a revolution in popular habits and observances should have been completed at one stroke, and within the limits of a few months?

In short, it appears quite a reasonable supposition that in the narrative of 2 Kings XXIII, we have a telescoped account of a series of reforms, stretching, it may be, over a period of some years, a mixing together of things which were done at different times, and possibly in a different order. It is perhaps a vague tradition of such a series of reforms taking place at intervals that we find reflected in the narrative of 2 Chron. XXXIV, where it is said that in Josiah's eighth year, he began to seek after the God of David his father, and that in the twelfth year of his reign he began to purge Judah and Jerusalem, and that in his eighteenth year the book of the law was found, etc.

With regard to the special subject of the Passover, which is stated to have been celebrated in an unusual manner by King Josiah, "as it is written in the book of the Covenant," even if we accept the fact that this took place in the first year of the reformation, such a supposition would not altogether necessitate the conclusion that Deut. XVI was already in existence. The words, "as it is written," etc., would be a very natural addition for a later writer to make. But it is not to be supposed that previous to the discovery of the lawbook all knowledge of the

## 18 ORIGINAL FORM OF DEUTERONOMY

great annual festivals had passed away. Books may be lost, but hardly national celebrations associated from time immemorial with certain seasons of the year. It is quite possible that the prominent place and special character assigned to the Passover in Deut. XVI may have been the result, and not the cause, of a historic celebration of it that took place at an early stage of Josiah's reformation. For the purposes of the present inquiry, however, it is not necessary to discuss this point, nor do we require to enter upon a criticism of the narrative of 2 Kings XXII, XXIII. It is sufficient to remark that as regards what we may call the subordinate chronology of Josiah's reformation, this narrative, by itself, can hardly be accepted as deciding anything, the fact that it represents the whole of the reform movement to have taken place in the eighteenth year of the king's reign making it probable that the historian no longer had at his command chronological data of a detailed character regarding the various events involved.

(2) A more definite source of information as to what the pioneer work of this reform movement actually contained is probably to be found in the writings of the contemporary prophet Jeremiah. It is not to be supposed that such an event could have taken place without producing a profound impression upon a man like Jeremiah. And we may be sure that no one would be more capable than he of grasping the essential purport of the newly published book, and of reflecting its inmost soul in his writings. We shall therefore proceed now to examine the two well-known passages which appear to throw some light on the subject under discussion, viz., Jerem. VII, 21 f.; XI, 1-8.

(a) Jerem. VII, 21, 22 : "Thus saith Jahveh of Hosts, the God of Israel : Add your burnt offerings to your sacrifices, and eat flesh. For I spake not unto your fathers, nor commanded them in the day that I brought them out of the land of Egypt concerning the matter of burnt offerings or sacrifices: but this thing I commanded them, saying, Hearken unto my voice, and I will be your God, and ye shall be my people: and walk ye in all the way that I command you, that it may be well with you."

Now, when we consider that Deut. XII, ff. contains on its very first page most positive and elaborate commandments concerning "burnt offerings and sacrifices,"—the very words used here by Jeremiah,—it seems difficult to believe that this section of the book of Deuteronomy could have formed part of the newly discovered "book of the law" as known to the prophet.

We have no desire to press the words of this passage in too literal a sense. It is quite true that neither Jeremiah nor any other of the Old Testament prophets who occasionally fulminate in this way against ritual is to be understood as opposed to all ritual, but only to its receiving an exaggerated importance. At the same time, it is not a question here of what Jeremiah's general opinions on the subject of ritual were, but of what, according to his view, Jahveh had "commanded their fathers in the day he brought them forth from Egypt." And all that we contend for is that assuming the prophet to be referring in this passage to what he regarded as the main purport of the Deuteronomic reform document, it is highly improbable that he would have expressed himself to the above effect if the most prominent and distinctive part of that document had been the laws commencing with

Deut. XII. On the other hand, if it be suggested that this passage in Jeremiah may date from the period previous to Josiah's reformation, it may be pointed out that in v. 23 we find one unmistakable point of contact with Deut. v-xi. Cf. "and walk ye in all the way that I command you that it may be well with you," with Deut. v, 33, "Ye shall walk in all the way which Jahveh your God hath commanded you, that ye may live, and that it may be well with you." Further, the first portion of what the prophet here represents to be the purport of the divine commands coincides with certain outstanding expressions in Deuteronomy which are characteristic of other parts of it rather than of the lawcode. Thus the only passages which exhibit a coincidence with "I will be your God and ye shall be my people" are Deut. xxix, 12 and xxvi, 17, 18,—chap. xxvi being generally recognised to stand only in a very loose relationship to the lawcode,—and the injunction to 'hearken to the voice' of Jahveh only occurs once in the latter (xiii, 5), but several times in other portions of Deuteronomy. It may also be noted that the tone and standpoint of this whole passage find their counterpart in Deut. x, 12, "And now Israel, what doth Jahveh thy God require of thee, but to fear Jahveh thy God, to walk in all his ways, etc."

(b) It is in Jerem. xi, 1 ff., however, that we have by almost general consent a reference, not only to the book of Deuteronomy, but to the first promulgation of it in connection with Josiah's work of reform. The beginning of this passage arrests our attention with a new phrase, "the words of this covenant," which is repeated three times (vv. 3, 6, 8,) while in v. 10 we find the expression "my covenant." Apparently, then, if this passage refers to the book of Deuteronomy in its

original form, that work must have been characterised in some very distinct and outstanding way as a "covenant" between God and Israel. And this may remind us that in the narrative of 2 Kings XXII, XXIII, while the book found in the temple is called the "book of the *torah*" in the passage actually recording its discovery, it is so on that one occasion only. In chap. XXIII, on the other hand, where we have the account of the actual reformation, the book is twice called "the book of the covenant" (vv. 2, 21), and in v. 3 there occurs the very phrase we find in Jerem. XI, "the words of this covenant." Now, it may be noted in passing that while the word "covenant" only occurs once in Deut. XII-XXVI, in a passage too (XVII, 2), where the allusion might quite well be to a book previously published, the expression "all the words of this *torah*" is used in XVII, 18, 19, in a way that can only be meant to designate the work in which it stands. On the other hand, while the word "covenant" occurs frequently in V-XI, the word "*torah*" does not occur there at all, though it is often employed in what are admittedly the later portions of Deuteronomy.

The common assumption is that the above statement in Jer. XI. refers to the beginning of Deut. V, where the Decalogue is introduced as the covenant made at Horeb. But when the words of the prophetic writer are carefully examined, it must be felt that this explanation is not wholly satisfactory. Thus, in view of the position of the Decalogue at the commencement of Deut. V, it seems unaccountable that Jeremiah should not have made some allusion to it. Not only does he fail to do so, but in vv. 3, 4, he specifically describes the nature of the "covenant" as a simple contract of mutual fidelity between Jahveh and Israel.

## 22 ORIGINAL FORM OF DEUTERONOMY

" . . . the words of this covenant which I commanded your fathers, . . . saying, Hearken to my voice and do them, according to all that I command you : so shall ye be my people, and I will be your God, that I may establish the oath which I sware unto your fathers," etc. And in the latter part of the same chapter, which may have been written at a later period when the nation had fallen back into evil courses, the prophet describes the covenant negatively to the same effect (v. 10)—"They are gone after other gods to serve them : the house of Israel and the house of Judah have broken my covenant which I made with their fathers." Here again, the reference of the word "covenant" is evidently to the simple contract of mutual fidelity, idolatry on the part of Israel constituting a definite repudiation of it.

Now, while there is no statement answering to this description of the "covenant" in Deut. v, there is one passage in the book of Deuteronomy that corresponds in a singularly exact manner, not only with the ideas, but even with the language of Jeremiah on this subject, viz., XXVIII, 69—XXIX, 14.

### § 2. Deut. XXVIII, 69—XXIX, 14.

That XXVIII, 69<sup>1</sup> is the title to what follows, and not a postscript to what precedes it, must occur to any one who will read the context independently of preconceived theories. The reason why many critical writers have taken it in the latter sense is doubtless to some extent the same that led the textual editor to add it to chap. XXVIII. How can it be supposed that at this late stage in the book, after all that has been said

<sup>1</sup> In the English Version, XXIX, 1.

and done, there can be another "covenant" to be recorded? And in point of fact, after the first half of XXIX, the idea of entering into a covenant seems to disappear. Besides, in the second half of the chapter there are undoubted indications of exilic date, as is also the case with the first part of chap. XXX. Hence it is usual to relegate both these chapters to a late period of Deuteronomic composition, and to assume that XXVIII, 69 was originally written as a postscript to the section of Deut. ending with chap. XXVIII. But while it is true that the second part of XXIX contains evidence of having been composed in the time of the Exile, it appears to us that the first fourteen verses stand in a different category, and are very far from belonging to that period.

Let us first observe the points of coincidence of the passage in question with Jeremiah XI, 1-8.

DEUTERONOMY.

JEREMIAH.

- |                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| XXVIII, 69. These are the words of the covenant . . .                                                                                                                                                                                                                                                         | XI, 2. Hear ye the words of this covenant . . .                                                                                                                                                                                                                  |
| XXIX, 8. Keep therefore the words of this covenant and do them.                                                                                                                                                                                                                                               | 6. Hear ye the words of this covenant and do them . . .                                                                                                                                                                                                          |
| 11, 12. That thou shouldest enter into the covenant of Jahveh thy God, and into his oath which Jahveh thy God maketh with thee this day: that he may establish thee this day unto himself for a people, and that he may be unto thee for a God, as he spake unto thee, and as he sware unto thy fathers . . . | 3, 4, 5. Cursed be the man that heareth not the words of this covenant . . . saying, Harken to my voice and do them . . . so shall ye be to me for a people, and I will be to you for a God, that I may establish the oath which I sware unto your fathers . . . |



## 24 ORIGINAL FORM OF DEUTERONOMY

The coincidences of thought and expression are so striking as to require no comment.<sup>1</sup> It seems hardly possible to resist the conclusion that one of these authors is dependent upon the other. But the supposition that it is the Deuteronomic writer who is here secondary to Jeremiah will be found to labour under the most formidable difficulties. For in that case, the passage XXIX, 1-14 must belong to the latest elements of the book of Deuteronomy, and must be distinctly secondary to the main bulk of it. Now, if that were so, we should expect to find in its phraseology and turns of thought unmistakable marks of its secondary character. But far from this expectation being fulfilled, the passage has a character of originality, as we shall see, that makes it difficult to regard it as secondary at all.

The opinion of Kuenen, assented to by others, that chaps. XXIX, XXX form a unity dating from the time of the Exile, may perhaps rest on a basis of fact to this extent, that XXVIII, 69—XXIX, 14, while in a separate condition, was expanded during the Exile by the addition of XXIX, 15-28, and that this whole passage, XXVIII, 69—XXIX, 28, was at the close of the Exile added after XXVIII, 68 by a writer who wrote XXX, 1-10 between XXVIII, 69—XXIX, 28 and XXX, 11-20, having in view both these sections, and also chap. XXVIII, as he did so. Thus a certain appearance of unity has been created, though that this unity is by no means complete even as regards the later elements of these two chapters XXIX and XXX is evident when we compare the points of view displayed in XXIX, 15-28 and XXX, 1-10 respectively, for XXIX,

<sup>1</sup> For a consideration of this passage of Jerem. relatively to Deut. XXVII, see § 13.

28a appears to indicate a period of the Exile when the future was yet dark and uncertain, whereas XXX, 1-10 assumes that all doubts as to the future have been removed.

But it is not very difficult, we think, to detect the two points of junction between the old material and the new. Thus XXIX, 15, where the writer in an inexplicable manner suddenly goes back to the "land of Egypt," exhibits a want of continuity with the passage preceding it which has frequently been remarked by commentators. From this verse onwards the clear-flowing stream of ideas apparent in vv. 1-14 is arrested: the style becomes involved and cumbrous, leading to a train of thought that exhibits no adequate sequence to those opening verses, and speedily lands us in an exilic atmosphere altogether foreign to them. Again, in the first part of chap. XXX, the standpoint is quite evidently that of the close of the Exile. The "blessing and the curse" are assumed to have been fulfilled in the destiny of Israel, the writer's aim now being to prepare the nation for their return to the Holy Land. But in vv. 11-20 we find ourselves all at once transported to the earlier standpoint of v-XI, where the alternatives of the blessing and the curse still lie before the people, the decision depending upon their conduct.

Confining ourselves at present, however, to the question whether Deut. XXIX, 1-14 can be secondary to Jerem. XI, 1 ff., one difference to be noticed between the two passages is the following. Jeremiah speaks of "this covenant which I commanded your fathers in the day that I brought them forth out of the land of Egypt," whereas the Deuteronomic writer, even apart from the title XXVIII, 69, is evidently referring to a

## 26 ORIGINAL FORM OF DEUTERONOMY

covenant that was being entered into when the nation was on the point of crossing the Jordan to enter the promised land. Now, as we shall see later on, this covenant in Moab, which was simply a re-affirmation of the traditional contract of mutual fidelity between Jahveh and his people, was regarded as embracing, or as embraced in, the original Horeb covenant, being in its essence a renewal or a ratification of that former covenant as at first conceived. So far as its purport was concerned, it placed the same responsibility upon the nation, viz., that of loyalty to Jahveh. This covenant in Moab, therefore, could be looked at from both points of view, either as a second covenant, or as a reinforcement of the former one. It is not surprising, then, that an author like Jeremiah, who was not quoting literally, but only referring to the leading ideas of another composition, should not mention the particular locality of Moab, but should merely speak in a comprehensive way of "the covenant which I commanded your fathers in the day that I brought them out of Egypt." But had a late Deuteronomic writer been borrowing his ideas here from Jerem. XI, it is not at all probable that he would have imported into his conception of the covenant an element which is not referred to by the prophet at all.

When we compare the two sections of chap. XXIX, viz., vv. 1-14 and the following portion, it is impossible to understand, on the assumption that they are by the same writer, why the idea of the covenant in Moab is introduced at all. Horst says, speaking of the first part of the chapter, "The principal verse appears to me to be the 6th, by means of which vv. 9-28 are thrown into the form of a discourse delivered in Moab, immediately



before the crossing of the Jordan.”<sup>1</sup> But after v. 14, there is no allusion to the locality of the discourse, and after v. 16, the idea does not seem to exist, even as an underlying assumption,—it simply vanishes.

Again, apart from the difference of style observable between these two sections of chap. XXIX, we find the word אָלֶה used in vv. 11, 13 in the sense of an oath of obligation, as a synonym for ‘covenant.’ On the other hand, in the latter part of the chapter, and also in XXX, 7, the word occurs in the sense of ‘curse,’ as a synonym for קָלֶה. Both meanings are doubtless of good authority, but it is not probable, to say the least, that any writer would use the word in both meanings within the compass of so short a passage. That the use of אָלֶה in the sense of vv. 11, 13 does not in any case imply a late date appears from the fact that it is found in undoubted portions of J, such as Gen. XXVI, 28, which verse, indeed, affords an exact parallel to its use in the passage before us, “Let there now be an oath betwixt us, even betwixt us and thee, and let us make a covenant with thee.” Now this word אָלֶה is found four times in the book of Jeremiah, but always in the sense of ‘curse,’ and it does not occur in Deuteronomy except in the above passages. It is therefore difficult to explain its employment here as a synonym for ‘covenant’ by a secondary writer, especially by one supposed to be dependent upon Jeremiah. But after all, the question of the mutual relationship of Deut. XXIX, 1-14 and Jerem. XI, 1 ff. is bound up with the question of the relationship in which the former passage stands to the main body of Deuteronomy. We propose, therefore, to exhibit the points of contact

<sup>1</sup> *R. H. R.* xviii, p. 333.

## 28 ORIGINAL FORM OF DEUTERONOMY

between Deut. XXIX, 1-14 and the "hortatory discourse," V-XI, excepting from the latter, for reasons that will appear later, V, 3-28; IX, 7—X, 11.

XXIX, 1a. And Moses called unto all Israel and said unto them.

1b, 2. Ye have seen all that Jahveh did before your eyes in the land of Egypt, unto Pharaoh, and unto all his servants, and unto all his land, the great temptations which thine eyes saw, the signs, and those great wonders.

4a. And I have led you forty years in the wilderness.

4b. Your clothes have not worn away from off you, nor has thy shoe worn away from off thy foot.

6. And when ye came unto this place, Sihon the king of Heshbon, and Og, the king of Bashan, came out against us unto battle, and we smote them and took their land.

8. Observe, therefore, the words of this covenant, and do them that ye may prosper in all ye do.

v, 1. And Moses called unto all Israel and said unto them.

vii, 18, 19. Thou shalt well remember what Jahveh thy God did unto Pharaoh, and unto all Egypt, the great temptations which thine eyes saw, and the signs, and the wonders.

xi, 3. . . . unto Pharaoh king of Egypt and unto all his land.

viii, 2. . . . all the way which Jahveh thy God hath led thee these forty years in the wilderness.

viii, 15. . . . who led thee through . . . the wilderness.

viii, 4. Thy clothing has not worn away from off thee, neither has thy foot blistered (?).

iv, 46. . . . in the land of Sihon, king of the Amorites, who dwelt at Heshbon, whom Moses and the children of Israel smote . . . and they possessed his land, and the land of Og king of Bashan.

v, 29, 30. Observe ye therefore to do as Jahveh your God hath commanded you . . . that it may be well with you.

- VI, 3. and observe to do, that it may be well with thee. Cf. VI, 25.
- VII, 9. . . . the faithful God, the observer of the covenant. . .
- VII, 11, 12. And if thou shalt observe the Commandment. . . Jahveh thy God shall observe towards thee the covenant.
- II. 12. That thou shouldest enter into the covenant of Jahveh thy God, and into his oath, which Jahveh thy God maketh with thee this day: that he may establish thee this day unto himself for a people, and that he may be unto thee for a God, as he spake unto thee, and as he swore unto thy fathers, to Abraham, to Isaac and to Jacob.
- VIII, 18. But thou shalt remember Jahveh thy God, that he may establish his covenant which he swore unto thy fathers, as at this day.
- VII, 6. For thou art an holy people unto Jahveh thy God. Jahveh thy God hath chosen thee to be a peculiar people unto himself.
- IX, 5. . . . the word, which Jahveh swore unto thy fathers, to Abraham, to Isaac, and to Jacob.
- VI, 10. . . . the land, which he swore unto thy fathers, to Abraham, to Isaac, and to Jacob.

At the outset, we are met by the fact that chaps. XXIX and V begin with identically the same sentence, "And Moses called unto all Israel, and said unto them," which is not found elsewhere in the book of Deuteronomy. We may so far anticipate what follows as to point out here in passing that if XXIX, 1 ff. was removed from the commencement of the hortatory discourse in order to make room for a section beginning with V, 1, it is not an improbable supposition that the redactor

### 30 ORIGINAL FORM OF DEUTERONOMY

who did this may have retained the opening words of the former section, which were quite suitable for his purpose. Again, when we read the title, IV, 45-47 in connection with chap. V, there does not appear to be any special reason why the writer of it should have referred to Sihon, but if XXIX, 1 ff. once occupied the place of V, 1 ff., it is easy to understand how part of this compound title came to assume the form it bears. The original section had contained within itself (XXIX, 6) a clear indication of the locality in which the discourse was delivered: the new section, V, 1 ff. did not. To supply the deficiency, then, the redactor may be supposed to have constructed a title for it on the basis of the facts mentioned in the displaced section. And now let us examine in detail the points of contact between XXIX, 1-14 and V-XI.

**v. 1b:** "Pharaoh." Apart from this verse, and the admittedly late addition XXXIV, 11, Pharaoh is only mentioned in the hortatory section of the book of Deuteronomy, viz., at VI, 21, 22; VII, 8, 18; XI, 3. The phrase "unto all his land" only occurs here and at XI, 3.

**v. 2:** "The great temptations which thine eyes saw, the signs, and those great wonders." The expression *הַמִּסֹּת הַגְּדֹלֹת* occurs also at VII, 19, but nowhere else in the Old Testament. Even the plural *מִסֹּת* occurs nowhere else except at Deut. IV, 34, a passage which we shall find afterwards to be probably dependent upon that before us. The combination "signs and wonders" is only found elsewhere in Deut. at VI, 22; VII, 19; and XXVI, 8,—apart from IV, 34, and XXXIV, 11.

**v. 4a:** "And I have led you forty years in the wilderness." This sentence is verbatim as in Amos II, 10, except that in the latter passage the words "forty years" come after "in the wilderness," and

that the person speaking is Jahveh. The sentence occurs nowhere else, and the only other passages where the *hif'il* of **יָבֵד** is employed in connection with Israel's desert wanderings are Deut. VIII, 2, 15. There is no real incongruity in the fact that in XXIX, 4, Moses is the speaker, while in VIII, 2, 15, Jahveh is the subject, though in view of the abrupt change to the first person in XXIX, 5b, where Jahveh is the speaker, it is probable that this passage originally read, "And he led thee,"—the phrase, "that I am Jahveh" being apparently the quotation of a well-known formula.

v. 5b: "Your clothes have not worn away from off you, nor has thy shoe worn away from off thy foot." This very curious statement is found nowhere else in the Old Testament, except at VIII, 4, and Nehemiah IX, 21,—which is a quotation from VIII, 4. In both these passages, however, we have the variation, "and thy foot blistered (?) not." It is probable that one of the readings is merely a textual corruption of the other. If the phrase **וְרַגְלֶךָ לֹא בִצְקָה** be compared with **וְרַגְלֶךָ לֹא בִלְתָּה** it will be seen how easily the alteration might have taken place, especially as seven out of the eleven letters are identical. According to the ordinary rule in such cases, the shorter and more difficult form of VIII, 4 would be regarded as the original reading: but it may be questioned if this gives the true solution here. The meaning of the word **בִצְקָה** is purely conjectural, the verbal stem being unrepresented in the Old Testament elsewhere, except by the substantive **בִצֵק** dough. But as Knobel pointed out, it is impossible on the ground of this latter fact to take



## 32 ORIGINAL FORM OF DEUTERONOMY

the sense of "swelled" or "blistered" out of the verb as used here, because the substantive does not mean fermented dough, but dough newly mixed (Exod. XII, 34, 39; Hos: VII, 4).

It may be premised that on the theory advanced in these pages regarding the original position of XXIX, 1-14, this section, after being removed from the beginning of the hortatory discourse, must necessarily have remained for a considerable time outside the Deuteronomic collection. From the nature of its contents, it could hardly have been made to fit in anywhere: even now its presence constitutes one of the most difficult problems of the book. Consequently, it is possible that the original reading may have been preserved in the verse before us, while the other may have resulted from the copying of a well-worn MS. The fact that the latter is quoted in Nehem. IX, 21, may only prove that the corruption took place at a very early date. This point, however, is by the way, and does not affect the uniqueness of the historical allusion that connects these two passages.

A more important question in connection with them is the view which they exhibit,—along with V, 3; XI, 2 ff., etc.,—to the effect that the Israelites have survived through all the desert wanderings, so that the individuals addressed by Moses in Moab are the same as those who were present at Horeb, in contrast to the view expressed in I, 34; II, 14,—according to the former of which passages "not one" of the Horeb generation, except Caleb and Joshua, and according to the latter none of "the men of war" of that generation survived to see the promised land. This topic will be discussed in connection with a consideration of the

section I-III. Meanwhile, it is sufficient to remark that whatever date be assigned to the latter section, it can hardly on any theory be supposed to belong to the original Deuteronomy. The presumption must be that it is one of the later elements of the book. Now, if XXIX, 1-14 belonged to these later elements, how is it that we find the view that is characteristic of the earlier sections expressed in it, and expressed, too, in the most emphatic and uncompromising manner, while the view of I, 34, etc., is ignored?

v. 6: "And when ye came to this place, Sihon king of Heshbon, and Og king of Bashan, etc." This passage has been already referred to as affording a possible explanation of part of the title, IV, 46b ff. Steuernagel says, "vv. 6-8 are in the connection so surprising that a doubt as to their originality may well seem to be justified."<sup>1</sup> But let us suppose that this section once stood at the commencement of the original Deuteronomy, and the presence of these verses admits of a very simple explanation. It is not probable that the title XXVIII, 69 formed part of the work as projected by the author, although it may have been added not long afterwards. But assuming that the original composition began with XXIX, 1, it would be necessary for the author to indicate in some unmistakable way where the scene of the discourse was laid. Now, there is abundant evidence to shew that at the time Deuteronomy was written, the victory over Sihon and Og was established as one of the favourite incidents of the national tradition. Hence it would be very natural for the writer to mark the locality of the discourse by a reference to it.

v. 7b. The sentence "and we gave it as an inheri-

<sup>1</sup> *Rahmen*, p. 49.

## 34 ORIGINAL FORM OF DEUTERONOMY

tance to the Reubenites and the Gadites, and the half tribe of Manasseh,"—which does not appear in IV, 46 ff.,—must be considered to be a later addition, inserted in order to harmonise the passage with the statement of III, 12, 13,—itself, as we shall see, the result of a late revision. It may be noted that the LXX has "and I gave it," as in the latter passage.

v. 8: "The words of this covenant." It is noteworthy that in VI, 6 it is said, "And these words which I command thee this day shall be upon thine heart,"—a form of injunction that appears to be singularly unsuitable to a large detailed body of laws like XII ff., but is perfectly appropriate to the idea here and in VI-XI, viz., that the essence of the "covenant" consists in a contract of mutual fidelity between Israel and Jahveh. It need hardly be pointed out that the combination "thou shalt observe and do" is distinctively characteristic of the hortatory section. Cf. V, 29 ; VI, 3, etc.

vv. 11, 12: "That thou shouldest enter into the covenant of Jahveh thy God, etc." VIII, 18 shews a close connection with the phraseology of this passage. Note the term יָקַם used for "establish," but in the one case of the covenant, in the other of the oath, followed in each case by the same phrase, "as (which) he swore unto thy fathers." In VII, 6, again, we have the central idea of the covenant, which underlies the whole of the hortatory discourse, and is the same as in the passage before us. Indeed, it may be affirmed that the language of the section VI-XI appears to demand as its key some announcement similar to that made in this passage, viz., that the Horeb covenant is being renewed by the nation as it is on the point of crossing the Jordan. Such a statement as VIII, 19,

"And it shall be, if thou shalt at all forget Jahveh thy God, and walk after other gods . . . I testify against you this day that ye shall surely perish," may at least be said to receive much more definite significance on the assumption that the composition containing it originally commenced with a renewal of the covenant.

The above striking coincidences between XXIX, 1-14 and VI-XI can only be explained on one of two suppositions. Either one of these two sections is dependent upon the other, or they were originally parts of the same document.

Now, the difficulty of assuming the dependence of XXIX, 1-14 lies in this, that it exhibits a character of originality wholly inconsistent with such dependence. We have already referred to this aspect of the section in relation to Jerem. XI, 1 ff. The following observations may be offered with regard to those points in which it shews signs of originality in relation to the main section of Deuteronomy.

v. 1: "All his servants." This phrase, used in connection with Pharaoh, is not found elsewhere in Deuteronomy, but it is a familiar expression in J of Exodus.

v. 5a. "Neither have ye drunk wine or strong drink." This statement in connection with the desert wanderings is found nowhere else in the Old Testament and must be regarded as a strong proof of the originality of the section in which it occurs. There is no ground for assuming, as some do, that the writer is inventing. He is evidently referring to a narrative of the desert wanderings with which he was acquainted, in which this circumstance was mentioned. Now, it is difficult to imagine a secondary writer making a new departure of this kind. It will be observed, moreover, that the

### 36 ORIGINAL FORM OF DEUTERONOMY

statement does not conflict with what is said in VIII, 3, but may be regarded as supplementary to it.

v. 5b: "That ye might know that I am Jahveh." This sentence is not found elsewhere in this form in Deut. or Josh., but occurs in J, Exod. VIII, 18b, and also in Isaiah XLV, 3, exactly as here, only with the verb in the singular. This form of the expression "that thou mayest know," לָמַעַן יָדַע, in a similar connection also occurs in other two passages of J in Exod., viz. IX, 29, "that thou mayest know that the earth is Jahveh's," and VIII, 6, "that thou mayest know that there is none like unto Jahveh our God," and in Is. XLIII, 10, "that ye may know and believe me, that I am he." On the other hand, in Ezek. and P, while the phrase "that ye (thou) may know that I am Jahveh" is found very frequently, it is so always in the form יָדַעְתֶּם, יִדְעוּ.

v. 8b: "That ye may prosper." The *hif'il* of שָׁכַל does not occur elsewhere in Deut. except in the Song, xxxii, 29. But it is found in the oldest stratum of J in the same meaning as here, Gen. III, 6; 1 Sam. XVIII, 5, etc. Its occurrence in Josh. I, 7, 8, merely indicates that the Deuteronomic redactor of Joshua had this passage before him as part of the Book of Deuteronomy.

v. 9a: "Ye stand." This *nif'al* does not occur elsewhere in Deut. or Josh., but is quite common in the same meaning in J, e.g., the participle, as here, Gen. XVIII, 2; Exod. v, 20; 1 Sam. XXII, 6. It is also found in Amos VII, 7; IX, 1.

v. 9b: "Your heads, your tribes, your elders, and your officers." "Tribes" is perhaps a textual error for "judges," as most commentators hold, or the original reading may have been, more probably, "the heads of

your tribes." These classes are not elsewhere all mentioned together in this order.

v. 9c: "Even all the men of Israel." The phrase **כָּל אִישׁ יִשְׂרָאֵל** is only found here and XXVII, 14 in Deut. But it is a common expression in J of the older historical books, *e.g.*, 1 Sam. XIV, 22; 2 Sam. XVI, 18, etc.

v. 10a: "The midst of thy camps." The combination of **בְּקֶרֶב** with **מִתְּחִילָה** occurs in Deut. II, 14 f., XXIII, 15. But it also occurs in JE, Numb. XIV, 44. "Your camps" is used figuratively for the dwellings of Israel in Amos, IV, 10.

v. 10b: "From the gatherer of thy wood unto the drawer of thy water,"—not elsewhere in Deut. Steuernagel remarks, "The hewers of wood and drawers of water can only be mentioned on the basis of Josh. IX, 21, 27, passages which belong to Q"<sup>1</sup> (P); he therefore regards the latter part of this verse as a later addition. And certainly, if we admit the dependence on Joshua, we must agree with this conclusion. But we fail to see the necessity for this. The passage in Joshua has a special reference to the service of the sanctuary. There is no such reference here: on the contrary, the purpose of the passage is to make it quite clear that the whole community is included in the covenant. When we call to mind the practical object aimed at by the first reform of Josiah, viz., the complete abolition of idolatry, the propriety of such an exhaustive enumeration of the component parts of the population is very evident.

v. 11: "To enter into the covenant." This expression **עָבַר בְּבְרִית** does not occur elsewhere in the Old Testament and probably had a technical significance.

<sup>1</sup> *Rahmen*, p. 48.

### 38 ORIGINAL FORM OF DEUTERONOMY

v. 11: "Oath." As we have seen, אָלֶה is used in precisely the same sense and connection in J at Gen. xxvi, 28, but does not occur in Deut., except in this chapter and at xxx, 7, and only occurs here in this meaning.

A consideration of the above particulars makes it evident, we contend, that the author of this section is in no sense a secondary Deuteronomic writer.

Further, the points in which he is independent of VI-XI do not involve any contradiction between the two sections, nor do they necessitate the assumption of different authors, but appear to be sufficiently accounted for by two considerations, (1) that we are here dealing with an original author who naturally varied his expressions, (2) that in XXIX, 1-14 he is writing an introduction to the discourse which follows, and therefore may not have occasion to repeat some of his words and phrases. Thus in VI-XI, שְׁבַעַה, "oath" occurs once only (VII, 8), and in a connection where אָלֶה would not be appropriate. Again, the phrase "that it may be well with you," of which in any case "that ye may prosper in all ye do" is not precisely a synonym, is only found twice in the verbal form, viz., at VI, 3, 18. It must be kept in mind, when dealing with all such comparisons, that the very hypothesis of originality involves the expectation of a certain amount of variety of expression.

But while, on the one hand, there is nothing to necessitate the conclusion that these two sections are by different authors, on the other hand, as already demonstrated, the points of contact between them undoubtedly prove the existence of some vital relationship.

In view of the above analysis, however, it does not seem possible to hold that XXIX, 1-14 is a secondary

passage, dependent upon VI-XI. Again, that VI-XI is dependent in a secondary sense upon XXIX, 1-14 is a supposition that can hardly on any theory be entertained. Consequently, there only remains, as an explanation adequate to account for all the facts, the conclusion that these two sections are by the same author, and once formed parts of the same work.

It may be added that if we examine the syntax and style of these verses, we shall have no difficulty in recognising the long rolling period (cf. vv. 1-3, 9-12) which is so distinctive a feature of the hortatory section. Again, the point of view exhibited in v. 3, "but Jahveh hath not given you a heart to know, and eyes to see, and ears to hear, unto this day," is both more in accordance with that of VI-XI (*e.g.* IX, 6), and of Jeremiah (XI, 8), than the utterance of v. 26, "Oh that their heart indeed might be thus, to fear me and to keep my commandment always." In whatever way the latter verse is translated, it is clear that when taken in conjunction with v. 25b, "they have well said all that they have spoken," it expresses an aspiration for the sincere continuance of an attitude on the part of the nation that was outwardly, at least, and for the time being satisfactory. But in XXIX, 3 it is equally evident that in the writer's opinion the attitude of the nation up to the present time has been anything but satisfactory, and is in need of a complete change. Which of these two corresponds better with the period before an impending reformation, and which, with the period subsequent to a successful reformation, does not require to be pointed out.

The internal evidence thus appears to justify the supposition that XXIX, 1-14 once stood in the place



## 40 ORIGINAL FORM OF DEUTERONOMY

now occupied by v, 1 ff., and formed the original commencement of the hortatory discourse extending from vi, 1 onwards. This conclusion again is confirmed by the following considerations. (1) The references in Jerem. xi, 1 ff. appear to be to a document that commenced with this section of Deuteronomy; (2) But in that case the latter could not have stood in its present connection, for the remainder of xxix is plainly of exilic date; (3) There does not appear to be any other position in our present book of Deuteronomy that it could conceivably have occupied at the time Jerem. xi, 1 ff. was written, except that above mentioned.

The next question that has to be considered is, what passage formed the immediate continuation of xxix, 1-14? It can hardly have been chap. vi, which commences, "Now this is the commandment, etc." Some intervening passage is evidently required to mediate between the idea of the covenant contained in xxix, 1-14 and the announcement here made. Something is needed to disclose the nature of the forthcoming exhortation, as constituting the substance of the covenant, and to shew that this covenant in Moab is but the reinforcement of the covenant entered into at Horeb.

These requirements are met by another section of Deuteronomy, which, like xxix, 1-14, evidently does not stand at present in the connection it was intended for, viz., Deut. iv, 10-26.

### § 3. Deut. iv, 10-26.

In reading chap. iv the abrupt transition from v. 9 to v. 10 arrests attention. The latter verse commences with the words, "the day that thou stoodest before Jahveh thy God in Horeb." It is usual to explain this word "day"

as in apposition to "the things which thine eyes saw," and dependent upon "lest thou forget" at the beginning of v. 9. But while this no doubt was the intention of the writer who inserted v. 9, the connection, judged by the standard of original composition, seems too distant to be natural, or, from a syntactical point of view, satisfactory. This is in fact admitted by other commentators, who suppose that some such phrase as "remember the" has been accidentally omitted before the word "day."

It is when we come to consider the contents of this passage, however, that its inappropriateness to its present context becomes fully evident. For it contains a reference to the Horeb covenant that is at once highly original, and, as we think, of undeniable, but so far, comparatively unappreciated significance in its relation to the development of the religion of Israel.

As the redactor who placed v. 1 ff. in its present position took over his opening words from the beginning of the displaced section, it is not surprising to find in these preliminary verses of chap. v the missing sentence,—(v. 2) "Jahveh our God made with us a covenant in Horeb"—which in all likelihood at one time immediately preceded IV, 10 ff. As we shall see later, IV, 10a, "the day that thou stoodest before Jahveh thy God in Horeb" was probably added at a subsequent period,—though previous to the removal of the section to its present position. We read the original connection as follows :—

XXIX, 11-14. ". . . that thou mayest enter into the covenant of Jahveh thy God, and into his oath, which Jahveh thy God maketh with thee this day : that he may establish thee this day unto himself for a people, and that he may be unto thee for a God, as he spake unto thee, and as he sware unto thy fathers, to Abraham, to

## 42 ORIGINAL FORM OF DEUTERONOMY

Isaac, and to Jacob. And not with you only do I make this covenant and this oath, but with him that is standing here with us this day before Jahveh our God, and with him that is not here with us this day. (v, 2) Jahveh our God made with us a covenant in Horeb (iv, 10b), in that Jahveh said unto me, Assemble me the people, and I will make them hear my words, that they may learn to fear me all the days that they live upon the earth, and that they may teach their children, etc."

Compare what is said about the covenant in Moab, XXIX, 8, "Observe therefore (וּשְׁמַרְתֶּם) the words of this covenant and do them," XXIX, 11, "that thou mayest enter into the covenant of Jahveh thy God . . . which Jahveh thy God is making with thee this day," with what is said about the Horeb covenant, IV, 23, "Take heed unto yourselves (וּשְׁמַרְתֶּם לָכֶם) lest ye forget the covenant of Jahveh your God, which he made with you": and note the identity of the expression כָּרַת עִם in IV, 23 and XXIX, 11. Again, the allusion in XXIX, 14, "but with him that is not here with us this day" finds its explanation as a reference to posterity in the words of IV, 11, "and that ye may teach your children," as well as those of v. 26, "When thou shalt beget children, and children's children, etc."

In this section (IV, 10-26), we find a reference to the Horeb covenant of a unique character, sufficient, one would think, almost at the first glance to exclude the possibility of its having been the production of a secondary Deuteronomic writer. The principal lesson to be learned from the divine revelation given on that occasion is based on the fact that the people "saw no form, but only (heard) a voice." This statement is emphatically repeated in v. 15, and a warning is deduced from it,—"Take ye therefore good heed unto yourselves, for ye saw no form on the day Jahveh

spoke to you . . . lest ye make to yourselves a graven image, etc." Again, this command not to make a graven image is mentioned in v. 23 as involving the essence of the covenant. That the latter consists for Israel in loyalty to Jahveh is emphasised by the warning that Jahveh is a jealous God.

Here we have a complete correspondence with the point of view implied in XXIX, 1-14 and VI-XI. The covenant of Horeb and the covenant of Moab are essentially one and the same, viz., a compact of mutual faithfulness between Jahveh and His people, of which, on Israel's part, idolatry is the most conspicuous and absolute breach. This covenant, however, has for the Israelites two phases of application: (1) generally, they are forbidden to *make* graven images for themselves, (2) specifically, as they are about to enter a heathen land, they are commanded to *destroy* the graven images of other people.

But the singular thing is that the author, in seeking to impress upon the nation that they must not make any graven images, and that the making of graven images is tantamount to a breach of Jahveh's covenant, does not base this command upon the second article of the Decalogue at all, but derives it, as by a novel argument, from the fact that when Jahveh spoke to them at Horeb, they "did not see any form, but only (heard) a voice." The question suggests itself, would the author have been likely to express himself in this way if the Decalogue known to him,—the "ten words" he refers to in v. 13,—had been that which we now find in Deut. v and Exod. xx? Let us try for a moment to realise some of the considerations involved in this question. Here is a passage which explicitly contains a historical reference to the covenant made


#### 44 ORIGINAL FORM OF DEUTERONOMY

at Horeb. It assumes the "ten words" to be already in existence, and well known to represent a covenant with Jahveh (IV, 13), "And he declared unto you his covenant which he commanded you to perform, the ten words, and he wrote them upon two tables of stone."

Now, it is certain that at whatever time the Decalogue of Deut. v—Exod. xx was published, it must at once have taken its place as absolutely and exclusively authoritative. This is implied in its very form, and in what is said about it (v, 19, "and he added no more").

If, then, the author of IV, 10 ff. wrote subsequently to its publication, why does he not base the prohibition with regard to the making of graven images upon its second commandment, "Thou shalt not make thee a graven image of any form that is in heaven above, or that is in the earth beneath, etc."? It appears extremely difficult to conceive why a writer who had before his mind, and who had just alluded to a Decalogue that contained in its very forefront so absolutely comprehensive a prohibition regarding the matter in hand, should altogether ignore this fact, and seek to replace the august, unquestionable authority of the "ten words" by a gratuitous piece of reasoning from analogy.

But let us suppose that the "ten words" of IV, 13 were the earlier Decalogue of J (Exod. xxxiv), in which only the making of "molten gods" is forbidden, or the similar Decalogue of E (which we take to have consisted substantially of Exod. xx, 22-26; xxiii, 12-19. See § 9), and the passage before us seems at once to acquire an important significance as the record of a transition stage between those earlier forms and the Decalogue of Deut. v—Exod. xx. Undoubtedly, the impression given here in vv. 12b, 15, is rather that of a writer who is



arguing for a new view, than of one who is merely enforcing a view already codified in its final form in an existing law.

We now proceed to a detailed examination of the contents of this section. Although the same consideration applies here as in the case of XXIX, 1-14, viz., that the special nature of the subject matter inevitably diminishes the extent of ground it has in common with VI-XI, and consequently the possible points of contact with that section, still, these are sufficiently evident.

- |                                                                                                                                                                              |                                                                                                                                                                              |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>iv, 10b. . . . and I will make them hear my words, that they may learn to fear me all the days that they live upon the earth, and that they may teach their children.</p> | <p>vi, 2. . . . that thou mayest fear Jahveh thy God . . . thou and thy son, and thy son's son all the days of thy life.</p>                                                 |
| <p>iv, 14. And as for me, Jahveh commanded me at that time to teach you (statutes and judgments) that ye might do (them) in the land whither ye go over to possess it.</p>   | <p>vi, 6. And these words which I command thee this day shall be in thy heart, and thou shall teach them diligently unto thy children.</p>                                   |
| <p>v. 15. Take ye therefore good heed unto yourselves . . . lest . . .</p>                                                                                                   | <p>vi, 24. . . . to fear Jahveh our God . . . all the days . . .</p>                                                                                                         |
| <p>v. 23. Take heed unto yourselves lest ye forget.</p>                                                                                                                      | <p>vi, 1. Now this is the Commandment (the statutes and the judgments) which Jahveh your God commanded to teach you, to do in the land whither ye go over to possess it.</p> |
| <p>v. 20. But Jahveh hath taken you to be unto him a people of inheritance.</p>                                                                                              | <p>vi, 12. Take heed unto thyself lest thou forget. . . .</p>                                                                                                                |
|                                                                                                                                                                              | <p>viii, 1. Take heed lest thou forget . . .</p>                                                                                                                             |
|                                                                                                                                                                              | <p>vii, 6. Jahveh thy God hath chosen thee to be a people of possession unto himself.</p>                                                                                    |

## 46 ORIGINAL FORM OF DEUTERONOMY

- v. 24a. For Jahveh thy God is  
a devouring fire. IX, 3. . . . Jahveh thy God is  
he that goeth before thee, a  
devouring fire.
- v. 24b. For Jahveh thy God is  
. . . a jealous God. VI, 15. For Jahveh thy God is  
a jealous God among you.
- v. 25a. . . . sons, and sons' sons. VI, 2. . . . thy son, and thy  
son's son.
- v. 26. I call heaven and earth  
to witness against you this  
day that ye shall surely per-  
ish quickly from off the land  
. . . for ye shall surely be  
destroyed. VIII, 19b. . . I call to witness  
against you this day that ye  
shall surely perish.
- v. 26a. . . . the land whither ye  
are passing over Jordan to  
possess it. VI, 15. . . . and he destroy thee  
from off the face of the ground.
- v. 26b. . . . prolong your days  
upon it. VII, 4. . . . and he will destroy  
thee quickly.
- VI, 1: IX, 1: XI, 8, 11.
- XI, 17b. . . . and ye perish quickly  
from off the good land.
- V, 33: VI, 2: XI, 9, 21.

v. 10. It has already been pointed out that the usual explanation of the connection here with what has preceded is hardly adequate. This is confirmed when we examine the immediately following context. It will be observed that the word "covenant" is not mentioned until we reach v. 13, and that the expression then used is "his covenant," while the phrases "my words," "a sound of words" have already occurred in vv. 10, 12 respectively. It will be seen on careful consideration that the sense of the passage almost demands some such preliminary announcement as that contained in v. 2, "Jahveh made a covenant with us in Horeb." But further, it may be questioned whether such a commencement is not even suggested linguistically by the subsequent expression בְּאֵמֶר.

v. 10: **בְּאֵמֶר**. Such a commencement as “forget not,” or “remember the day when thou stoodest” would appear to require this verb **אָמַר** which follows to be employed in such a construction as would refer it to a definite point of time pure and simple,—“*when* Jahveh said unto me.” But it is doubtful if the preposition **בְּ** with the infinitive construct would have been used by the original writer in this particular case. For while this combination is, of course, often used in a temporal signification, its precise meaning rather corresponds, when it is used as here with a dependent clause, to some such phrase as “in that” (Germ. *indem*), “inasmuch as,” or “inasmuch as at that time.” The meaning referred to may be very well illustrated by the only other instances in the Old Testament in which this particular phrase **בְּאֵמֶר** occurs, viz., Ps. XLII, 2—“My tears have been bread to me by day and by night, inasmuch as (*indem*) they have been saying unto me, etc.”: Ezek. XXXVI, 20—“And when they came unto the nations whither they went, they profaned thy holy name, in that (or, inasmuch as at that time) men said of them, etc.” Now, if it be assumed that the passage before us began with “Forget thou not,” or, “remember the day,” it will be seen that the use of **בְּאֵמֶר** is hardly suitable, the sense in that case, as has been said, rather demanding a purely temporal “when.” On the other hand, let us suppose that the commencement was—“Jahveh made a covenant with us at Horeb,” and then the proper significance of the expression appears at once—“in that,” or, “inasmuch as at that time” “Jahveh said unto me, Assemble the people, etc,” *i.e.*, the following context proceeds to explain *how* the covenant was made, and *in what* it consisted.



## 48 ORIGINAL FORM OF DEUTERONOMY

v. 10: "Assemble me the people." It may be noted that the verb קָהַל is used thus with עַם in JE, Exod. xxxii, 1, and in Jerem. xxvi, 14. In P, on the other hand, קָהַל is never used with עַם, but always with עֵדָה or (Numb. x, 7) with the substantive קָהָל.

v. 10: "That they may learn." The same construction with יִלְמְדוּ is found at vi, 3.

vv. 10c-12a. Although it is easy to see that this description is drawn from the same sources as the present composite narrative in Exod. xix, xx, 18-21, there is nothing of the literal reproduction typical of a secondary writer, nor is there anything to prove that the author was acquainted with the composite narrative of JE as we now have it. We may compare v. 11b, "And the mountain burned with fire unto the heart of heaven" with Exod. xix, 18, (J), "And mount Sinai was altogether on smoke": again, "that they may learn to fear me" reminds us of Exod. xx, 20 (E), "that his fear may be before you." But the style of the Deuteronomic writer is quite that of an original author, making use, indeed, of older material, but freely moulding it in his own way. One feature of the description contained in these verses is that it exhibits an appreciable difference in some points from the narrative of Exodus. For example, there is nothing in the latter account exactly corresponding to the purport of v. 12a, "And Jahveh spoke to you out of the midst of the fire." This statement appears to be contradictory to Exod. xix, 18 ff. (E), "And all the people saw the thunderings and the lightnings and the voice of the trumpet and the mountain smoking: and when the people saw it they trembled and stood afar off. And they said unto Moses, Speak thou with us and we will

hear: but let not God speak with us lest we die." The nearest approach in the narrative of Exodus to the point of view of the verse under consideration is found at XIX, 9 (J), "And Jahveh said unto Moses, Behold, I come unto thee in a thick cloud, that the people may hear when I speak with thee, and may also believe thee for ever." The only passage that exactly corresponds with the purport of it is Deut. v, 4, "Face to face did Jahveh speak with you in the mount out of the midst of the fire," but this statement is immediately modified by the verse which follows, "I was standing between Jahveh and you at that time, to announce to you the word of Jahveh, for ye were afraid because of the fire, and went not up into the mount." The explanation of these two verses we shall consider later. It is to be noted that in IV, 10 ff. there is nothing corresponding to the statement in v, 5. The probability seems to be, then, that this verse, IV, 12, contains an allusion to a form of the Horeb narrative which differed at this point from the composite account of JE as we now have it, but which may possibly have been the original version of J, as the latter existed in its complete state. Perhaps we have in Exod. XIX, 9a a remnant of this original narrative, "Behold, I come in a thick cloud, that the people may hear" (? "the sound of my words"), while the second part of the verse, "when I speak with thee, and may also believe thee for ever," may give us the later modification by which, as in Deut. v, 5, the redactor who united the two documents sought to mediate between their different conceptions. Again, the statement in IV, 12c, "But ye saw no form (תִּבְרִית) only a voice," when taken in conjunction with the argument founded upon it in vv. 15 ff., evidently means to imply, not merely that the

people, as distinguished from Moses, saw no form, but that Jahveh possesses no form to be seen by the human eye at all. It is difficult to suppose, then, that the composite narrative as we have it, could have been used by this writer, at least in an authoritative sense, when we read in Numb. XII, 8 (E) regarding Moses, "the form (תְּמוּנָה) of Jahveh shall he behold," and in Exod. XXIV, 9, 10, "Then went up Moses and Aaron, Nadab, and Abihu, and seventy of the elders of Israel, and they saw the God of Israel."

v. 13: "And he declared unto you his covenant, which he commanded you to perform, the ten words, and he wrote them upon two tables of stone." This verse is clearly connected with the narrative of Exod. XXXIV. The expression נִשְׁנֶה לְחוּת אֲבָנִים is the same as in Exod. XXXIV, 1, whereas E's phrase is לְחוּת אֲבָן (Exod. XXXI, 18). The difficult question of the original context of J's Decalogue is here raised, but can only be very briefly referred to in the present connection. In Exod. XXXIV, 10a, we find the statement, "Behold, I make a covenant," corresponding with Deut. v, 2. Again, in Exod. XXXIV, 27b, 28c, we find two sentences which correspond with what is said in the passage before us,—“And Jahveh said . . . according to the tenor of these words, I have made a covenant with thee and with Israel . . . and he wrote upon the tables the words of the covenant, the ten words.” As the text of this passage stands at present, the subject to “wrote” is Moses. For a discussion of the problem here involved we may refer to pp. 122 f. In the present connection it is enough to point out that any view of Exod. XXXIV, according to which the whole of the references to the tables of stone in that chapter belong to its later

framework, founded on E's account, involves formidable difficulties. In the first place, if there was no mention of them originally in J's narrative, it does not appear why it should have been found necessary to introduce them. The very fact that the redactor who removed J's narrative to its present position, evidently meant it to be regarded as describing a transaction subsequent to the original Horeb covenant, increases this difficulty. One would have thought that the absence of any allusion to the "tables" would have made his task all the simpler, and it is certainly difficult to understand why he should have complicated it by an addition of this kind. Again, there is the difference in the expression for the "tables of stone" above referred to, which it is impossible to explain satisfactorily except on the supposition of an original alternative narrative referring to them. Finally, if the making of the covenant is conceived as taking place subsequently (Exod. XXIV), then the perfect "I have made" in XXXIV, 27 must be taken as a future, which, of course, is possible linguistically, but in view of XXXIV, 10a hardly natural.

v. 14: "And Jahveh at that time commanded me to teach you (statutes and judgments) that ye might do (them) in the land whither ye go over to possess it."

In this verse we have the connecting link between XXIX, 1-14, IV, 10-26 on the one hand, and VI-XI on the other. The covenant of Horeb, embodied in the "ten words," is now about to be renewed in Moab by the delivery of the discourse contained in VI ff. It will be observed that VI, 1, "Now this is the commandment, etc." evidently refers to the verse before us. Cf. also what follows in VI, 2 with IV, 10b.

## 52 ORIGINAL FORM OF DEUTERONOMY

This 14th verse, however, leads us to consider in the first place the whole subject of the various terms, "commandment(s)," "statutes," and "judgments," by which the main sections of Deuteronomy designate their contents. As the text of the book stands at present, these would appear to have been used in an indiscriminate, almost haphazard fashion, but there is reason to believe that originally their employment was distinctive and systematic, and essentially connected with the design of the respective documents.

In Exod. XXIV, 12 we are told that "Jahveh said unto Moses, Come up unto me to the mount, and be there, and I will give thee the tables of stone, and the law (וְהַשְׁכֵּל), and the Commandment (וְהַצִּוִּי) which I have written to teach them." Again, in Deut. v, 28, after the Decalogue on the two tables has been given, Jahveh says to Moses "And as for thee, stand thou here beside me, and I will speak unto thee the Commandment (וְהַצִּוִּי), and the statutes (וְהַחֲקִים), and the judgments (וְהַמִּשְׁפָּטִים), which thou shalt teach them." These verses give us a clue to the analysis of Deuteronomy that is quite in keeping with what on other grounds appears to be the true division of its contents. In regard to the former passage, it has been suggested that the ך before הַשְׁכֵּל should be taken explicatively (Baentsch), or deleted, with the LXX (Steuernagel), thus making the meaning, "the tables of stone, viz., the *Torah* and the *Misvah*." But either assumption is very forced. It is easy to understand why the LXX should have omitted the ך, but extremely difficult to discover why it should ever have got into the text, if the meaning was intended to be as above. The addition of the words "and the *Torah* and the *Misvah*" in this verse no doubt dates from the period

subsequent to the publication of the two main sections of Deuteronomy, when they had been united in their first form, but were still regarded as two separate deliverances. Here, then, according to the Deuteronomic redactor, we find Moses receiving three things: (1) the tables of stone—containing the “ten words” of the Horeb covenant, (2) the *Miṣvah*—evidently some composition of which this was a distinctive characterisation, (3) the *Torah*, otherwise (v, 28) designated as “statutes and judgments.”

These three elements are represented in the book of Deuteronomy, according to our view, as follows:

The original writer begins (XXIX, 1-14) by announcing a covenant to be made in Moab between Jahveh and His people, the essence of which lay in a pledge of mutual fidelity. He goes on (IV, 10-26) to refer to the original covenant entered into at Horeb, represented by the “ten words” of the two tables of stone, deriving from the mode of the divine revelation on that occasion a special argument whereby to impress upon the people their covenant responsibility in an enlarged degree, forbidding them to make a “graven image of a form of anything” (cf. IV, 25), and reminding them that Jahveh had brought them out of Egypt and chosen them “to be to him for a people of inheritance, as at this day” (v. 20). He also mentions that at the time when Jahveh had “announced to them his covenant” (v. 13), He had “commanded” (צִוָּה) Moses to teach them, with a view to their entering the promised land (v. 14), supporting the appropriateness of the occasion and locality now chosen for the fulfilment of that command by an allusion to the latter’s impending decease (v. 22). Moses then proceeds (VI, 1 ff.) to deliver as the

## 54 ORIGINAL FORM OF DEUTERONOMY

substance of that divine "command to teach," a hortatory discourse, which is distinctly termed "The Commandment," **הַמִּצְוָה** (VI, 1), "Now this is the Commandment, etc."

According to this writer, as the Horeb covenant ought to impress upon Israel the one great lesson of loyalty to Jahveh in respect to the making or worshipping of false gods, so the renewal of that covenant on the border of the promised land, which is in process of being effected, has as its object to emphasise the same lesson in its adaptation to the new circumstances amidst which the nation's lot is now to be cast, as implying the destruction of the false gods of the Canaanites, the avoiding of political and social entanglements with them, etc. Again, just as the "ten words" of the tables constituted the substance of the Horeb covenant, so "The Commandment," **הַמִּצְוָה**, constitutes the substance of the covenant in Moab. Another passage which reveals in a striking manner this connection between the "Covenant" and the "Commandment" is VII, 9-12, "And know thou that Jahveh thy God, he is the God, the faithful God, keeper of the Covenant. . . . And if thou shalt keep the Commandment . . . which I command thee this day . . . then Jahveh thy God will keep towards thee the Covenant . . ." (for the construction cf. *Exod.* XXXIII, 25, etc.). This work, then, which we may call the Book of the Covenant in Moab, and the latter part of which yet remains to be defined, constituted in our view the original reform document.

Subsequently, if we may be allowed to anticipate so much for the sake of clearness, the body of "statutes and judgments" contained in XII ff. was

published in a separate form, with a special prologue and epilogue of its own, as the *Torah*. These two works were afterwards united, under circumstances yet to be investigated, so that the *Miṣvah*, the discourse contained in the former, might serve as a prelude to the latter. At a later period the terminology of the *Miṣvah* was altered by the addition of the expressions "statutes and judgments," in order to make the union an incorporating one, and to bring the *Miṣvah* itself under the comprehensive designation, *Torah*. Just as VI ff. begins, "Now this is the *Miṣvah*," so IV, 44, which, as we shall see, was in all probability the original title of the first, or separate edition of the lawcode, begins, "Now this is the *Torah*."

These designations are entirely in keeping with the internal evidence of the sections themselves. Thus, the word *מִצְוָה* in its various forms occurs seventeen times in VI-XI, viz., *הַמִּצְוָה*, VI, 1, 25; VII, 11; VIII, 1; XI, 8, 22; *מִצְוֹת*, VI, 17; VIII, 6; X, 13; XI, 27, 28; *מִצְוֹתֶי*, XI, 13; *מִצְוָתוֹ (הָיִי)*, VI, 2; VII, 9; VIII, 2, 11; XI, 1. It will be observed that the expression *הַמִּצְוָה* occurs precisely at the most outstanding points of the discourse. Again, while this absolute singular is found six times, the construct singular, according to the Massoretic pointing, never occurs at all, but the plural form *מִצְוֹת*, which is consonantly identical with it, is found five times. There can be little doubt that the Massoretic scribes who supplied the vowel points carried on unconsciously the work of assimilating the two sections by pointing the word wherever possible as a plural. It is interesting to notice how their efforts have been supplemented by both ancient and modern translators, for the authorised English version, following the LXX and the Vulgate, altogether ignores



the distinction even where it has been left in the Massoretic text, and actually renders **וְהַצְוִיּוֹת**, "the commandments."

In the section XII-XXV, on the other hand, the word only occurs five times altogether, viz., **וְהַצְוִיּוֹת**, XV, 5; XVII, 20; XIX, 9: **מִצְוֵי**, XIII, 5, 19. Even more significant than the paucity of its occurrence, however, is the character of the passages in which it is found. Without exception, they are all more or less reminiscent of the "hortatory" section, and, as we shall see, appear to have been written as distinct and conscious references to its contents. In XVII, 19, 20, we find the two documents referred to separately, "to keep all the words of this *Torah*, and these statutes, to do them . . . and that he turn not aside from the *Miṣvah*, to the right hand or to the left, that he may prolong his days." It will be observed that this allusion to the *Miṣvah* is in the very terms that are employed (v, 29b, 30b) in the passage which announces its commencement.

On the other hand, the word *torah*, which is not found in VI-XI at all, is expressly used by the lawcode to designate its contents (XVII, 18, 19). The *Torah* consists of the "*hugqim* and *mishpatim*," the relationship between the two expressions being very clearly disclosed in IV, 1-8, which we take to have been part of the prelude to the separate edition of the lawcode (IV, 8), "And what great nation is there that has righteous *hugqim* and *mishpatim*, like all this *Torah* which I am putting before you this day." Another passage that partly indicates what the writer of the lawcode understood by the word *torah* is XVII, 8-13, where it is ordained that in matters of controversy the person involved shall come to "the

priests the levites, and to the judge," who are to shew the "word of *mishpat*." And then it is added, "And thou shalt observe to do according to all that they instruct thee (יִירִידָה); according to all the *torah* which they shall instruct thee, and according to all the *mishpat* they shall say unto thee, shalt thou do."

It is a significant fact that wherever the terms "statutes" and "judgments" occur in the hortatory section they, or the sentences or clauses containing them, can be simply excised without affecting the sense or connection in the least. Indeed, it is only when we do omit them that we gain a true conception of the account which this section of Deuteronomy gives of itself. Dillman describes the term *mišvah* as "the one principal and fundamental Commandment in the fulfilment of which that of all others is included,"<sup>1</sup> and no one who studies the contents of VI-XI can fail to realise how true this description is.

The relationship between IV, 14 and V, 28, on the one hand, and Exod. XXIV, 12, on the other, is an interesting one. In IV, 14 a very definite distinction is made between the "ten words" which Jahveh is represented as uttering and writing personally, and the "command to teach" the people which is laid upon Moses as the latter's own special commission, "And as for me, Jahveh commanded me at that time to teach you." Here the conception of the writer evidently is that while Moses receives from Jahveh a general direction to "teach," and no doubt the substance of the teaching, yet the actual form of it is left to himself. This is in harmony with the whole style of the discourse which follows, in which

<sup>1</sup> *Comp. Hex.* II, 2.

## 58 ORIGINAL FORM OF DEUTERONOMY

Moses does not profess to be quoting the actual words of Jahveh, but speaks to the people in his own person. But in v, 28, "And as for thee, stand thou here by me, and I will speak unto thee all the *Mišvah*, etc.," the writer's idea obviously is that Moses received both the *Mišvah* and the *Torah* directly from Jahveh at Horeb *in extenso*,—the same idea that we find in Exod. XXIV, 12. This difference is no doubt to be explained in connection with the abandonment of the earlier conception of the covenant in Moab, at the time when the *Mišvah* and *Torah* were united, in favour of one that regarded both the latter as having been given with equally direct divine authority, on the same occasion, and as far as possible in the same way as the "ten words." Exod. XXIV, 12 in so far exhibits an advance upon Deut. v as the redactor mentions what he no doubt considered the more important element, viz., the *Torah*, before the *Mišvah*, thus foreshadowing the complete subordination and absorption of the latter which took place at a subsequent period.

Returning now to the connection between IV, 14 and VI, 1, it may be shewn how the former verse corresponds with the theory here stated :

IV, 14. And Jahveh commanded me at that time to teach you (statutes and judgments) that ye might give performance (to them) in the land whither ye go over to possess it.

VI, 1. Now this is the Commandment (the statutes and the judgments) which Jahveh your God commanded to teach you, to give performance in the land whither ye go over to possess it.

It will be observed that in VI, 1 the verb וְיָצַח has no object corresponding to the דְּבָרִים of IV, 14, but is used absolutely, in the sense we may express by the

phrase "give performance." We assume it to have been originally so used in IV, 14, a construction which receives still clearer confirmation in VI, 3, "Hear therefore, O Israel, and observe to give performance." Cf. v, 29, etc. Again, the word *Miṣvah* does not appear in IV, 14, because, according to the conception of the original writer, he is here shewing us the term *Miṣvah*, so to speak, in the making. "Jahveh *commanded* me to teach you,"—obviously it would not have been appropriate at this point to add "the Commandment," for he is explaining the origin of that term in the verbal forms "commanded" and "teach" which he is using. The proper place for the first mention of the substantive *Miṣvah* is when he is about to expound the contents of the divine "command to teach," and accordingly VI, 1 begins, "Now this is the *Miṣvah*, The Commandment." The words אֱלֹהִים . . . וְיִשְׁמְעוּם in IV, 14 are thus seen to be a later addition which obscures the original sense in its relation to VI, 1 ff.

v. 15: "For ye did not see any form, etc." We have already dealt with this verse in the introductory remarks to this section.

vv. 16-18: In these verses we find a number of words that are of undoubtedly late origin, so far, at least, as their occurrence in the Old Testament can guide us, and there is reason to believe that from the word סִמָּל in v. 16 to the end of v. 18 inclusive is an interpolation. We shall examine first the vocabulary of this passage.

סִמָּל. This word is found elsewhere only in Ezek. VIII, 3, 5, and 2 Chron. XXXIII, 7, 15. Schrader has identified it with the Assyrian *samulluv*, the name of a

tree or kind of wood, and says, "the corresponding ideogram also appears with the sign of divinity before it in the name of a god, that is set down in a syllabary as the equivalent of *Samas*, the sun god."<sup>1</sup> The actual word itself, however, appears in Phoenician inscriptions, as, apparently, the common term for a "statue," *i.e.* practically the equivalent of the Hebrew עֲסַל, in which sense it is evidently used here, in allusion to any representation of a human or other figure.

תְּבַרִית, "pattern," which occurs no less than five times in these verses, is also found in Ezek. VIII, 3, 10; x, 8, but not in any passage probably earlier than Ezek. On the other hand, it appears in P, Exod. XXV, 9 (*bis*), 40; Josh. XXII, 48.

זָכָר אוֹ נִקְבָּה. This combination of words, which is quite characteristic of P, occurs nowhere else except here. The word נִקְבָּה only occurs in P and in one other passage, Jer. XXXI, 22.

כָּל-עֲשׂוֹר כְּנָה. This precise phrase, with עֲשׂוֹר in the construct before כְּנָה, is only found here and in Ps. CXLVIII, 10; but the two words in other combinations, *e.g.* כָּל-עֲשׂוֹר כְּנָה-כְּנָה, occur frequently in P, while the same construction as here but with עוֹר, *viz.*, כָּל-עוֹר כְּנָה, is found in P, Gen. I, 21.

רִמֶּשׁ. Apart from Ezek. XXXVIII, 20; Ps. LXIX, 35; and Ps. CIV, 20, this word only occurs here, and in P of Genesis and Leviticus.

It may be contended that none of these words is absolutely conclusive of a date later than the first part of the 7th century, and Driver justly lays weight upon a consideration too often lost sight of in dealing with

<sup>1</sup> *Keilinschriften u. Alt. Test.*, p. 159.

such questions, that the special nature of the subject matter has to be taken into account in view of the non-occurrence of such terms in the rest of the related literature. At the same time it cannot be denied that in their cumulative effect, occurring as they do within the limits of so short a passage, and including a fivefold repetition of the term תְּבַנִּית, they are suggestive of a later interpolation.

But apart from the mere vocabulary of this passage, there are other considerations which, we think it may be said, indicate that it does not belong to the original text. Thus, the combination פֶּסֶל תְּמוּנַת כָּל-סִמָּל תְּבַנִּית is a very curious one,—“a graven image of a form of any statue a copy of a male or female.” There is a certain cumbrousness about it, and an impression of tautology in the use of פֶּסֶל and סִמָּל together, which make it difficult to believe that it came thus from the pen of the original author. It appears to us, however, that the context casts a significant light upon the origin of this complicated expression. In v. 23 we read, “Take heed to yourselves lest ye forget . . . and make to yourselves a *graven image of a form of anything* (פֶּסֶל תְּמוּנַת כָּל) as (or, which thing) Jahveh thy God hath commanded thee.” That this is the correct translation of אֲשֶׁר here, and not “of anything that Jahveh thy God hath forbidden thee,” at least according to the Massoretic punctuation, is evident from the distinctive accent over the word כָּל (cf. Exod. XIV, 13b; Deut. VII, 17; 1 Kgs. XIV, 19, v. Ewald, *Lehrb.* § 333). But apart from this, we find the phrase once more in v. 25,—“When you make to yourselves a graven image of a form of anything.” Here we have precisely the same three words פֶּסֶל תְּמוּנַת כָּל

## 62 ORIGINAL FORM OF DEUTERONOMY

that form the beginning of the extensive combination in v. 16, but without any addition, without even a relative clause as in v. 23. It may be suggested, then, that we have in this 25th verse the original expression, which subsequently came to be expanded, first, perhaps, by the addition of the relative sentence in v. 23, and afterwards by the enumeration of the particulars given in vv. 16b-18, or *vice versa*. The exhortation, "Take heed . . . lest ye make a graven image of a תַּמִּידָה of anything" is exactly in accordance with the argument of the writer. His premiss is that they "saw no תַּמִּידָה," his exhortation, that they should not make a carved representation of any תַּמִּידָה. The absolute use of כָּל thus, without the article, is found, *e.g.* in Isaiah XLIV, 24, "I am Jahveh, the maker of all things (עֹשֶׂה כָּל)," Ps. VIII, 7, etc. It is not difficult to understand how those later additions crept into the text. The absence of any allusion to the contents of the Decalogue of Exod. XX, Deut. V in this passage must have been even more evident to a Hebrew scribe of post-exilic times than it is to us, who only have it before us in its modified form. Consequently, with a view to make good the deficiency, the clause, "as Jahveh commanded thee," was perhaps first inserted at the end of v. 23. Subsequently, this clause, which in the consonantal text might very naturally be read, as it generally is at the present time in spite of the pointing, "of anything that Jahveh commanded thee" (not to), would lead to the insertion of the particulars now found in vv. 16b-18. Or the process may have been reversed, the תַּמִּידָה of v. 23 in that case being originally intended to be read in the latter sense. It may further be noted that this short pregnant phrase, כָּל תַּמִּידָה, when

compared with the expressions in Deut. v, 8; Exod. xx, 4, has all the appearance of being the earlier form of which these are later paraphrases. The variation they exhibit is itself significant. Thus in Exod. we have **פָּסַלְתָּ לָךְ תַּבְּרִידָה**; in Deut., **פָּסַלְתָּ לָךְ תַּבְּרִידָה**. Again, the author of Deut. IV, 10 ff. has before his mind a definite contrast between the worship of "a graven image of a form of anything," and the "lifting up of the eyes to heaven," in order to worship, not a graven image of a **תַּבְּרִידָה**, but natural objects themselves, viz., the heavenly bodies. In Exod. xx, Deut. v, however, this contrast disappears in a comprehensive generalisation meant to include every object in the universe.

It is a striking fact, to which we shall advert more fully later, that the only other passage in the book of Deuteronomy which mentions the worship of the heavenly bodies is XVII, 2, 3, which, again, is the only place in the lawcode that refers to "the covenant." When these two passages are compared in the light of this circumstance, it is difficult to avoid the conclusion that the author of XVII, 2, 3 was acquainted with IV, 10 ff., and the general tenor of his statement is at least quite in harmony with the supposition that he knew it as forming part of an already existing work.

**v. 19a:** "heavenwards." In Deuteronomy this adverbial form only occurs here, and at XXX, 12,—part of a passage (XXX, 11-20) which, we shall see, constituted the conclusion of the *Mishvah*.

**v. 19b:** "and thou be drawn away and worship them." The combination **וְהִשְׁתַּחֲוִיתָ וְהִנָּחָה** occurs nowhere else in the Old Testament except at XXX, 17.

**v. 19b:** "worship and serve." These two expressions, but in the reverse order, are found together in



## 64 ORIGINAL FORM OF DEUTERONOMY

VIII, 19 ; XI, 16. Elsewhere, in combination, and with reference to the worship of false gods, they only occur in secondary passages, *e.g.* Josh. XXIII, 19.

v. 19c : "Which Jahveh thy God hath divided unto all the peoples under the whole heavens." This is an original statement, and is found nowhere else in the Old Testament. There is no example even of a parallel use of  $\text{פָּלַק}$  except in the exilic passage, XXIX, 25, which is plainly dependent upon the verse before us, "Then men shall say, Because they forsook the covenant of Jahveh, which he made with them, when he brought them out of the land of Egypt, and went and served other gods and worshipped them, gods whom they knew not, and whom he had not divided unto them." Apart from other considerations, it is evident that  $\text{פָּלַק}$  in this passage is used in a secondary meaning, viz., to impart something to one recipient, a use of which there is only one other example in the Old Testament (Job XXXIX, 17), whereas its original sense is to distribute something to two or more recipients, as it is used in the verse before us. This alone makes it probable that XXIX, 25 is dependent upon IV, 19, a conclusion which the context of the passage amply confirms.

v. 20a : "But Jahveh hath taken you, and brought you forth out of the iron furnace, out of Egypt." Apart from the late Deuteronomistic passage, 1 Kings VIII, 51, this remarkable expression, "the iron furnace, Egypt," is found only here and in that passage of Jeremiah (XI, 1 ff.) which we have already seen to be so closely identified with Deut. XXIX, 1-14, and must be regarded as an important link of connection between the latter section and that under discussion.

v. 20b : "A people of inheritance." This precise

expression, עַם יְהוָה, occurs nowhere else in the Old Testament, the usual phrase being "thy people and thine inheritance." The idea of this verse, however, is the same as in XXIX, 13 ; VII, 6 ; XXVI, 18 ; Jerem. VII, 23 ; XI, 4. It need hardly be remarked that the use of the parallel expression עַם סִגְלָה in VII, 6 cannot be regarded as arguing a difference of authorship, unless one would seek to arbitrarily impose upon the author a uniformity of phraseology out of keeping with the assumption that he is an original, and not a secondary writer.

**vv. 21, 22.** These verses, which in view of the present position of this section appear to have so little direct bearing upon the context that some expositors have assumed them to be a later insertion, are at once seen to possess a distinct significance if we regard them as forming part of the original introduction to VI ff. For in that case, the announcement here made by Moses, that he will not cross the Jordan, but will die in Moab, is very evidently intended to explain why he proceeds to deliver a prolonged exhortation at this time to the nation.

It may be noted that there is no parallel passage in JE in which Jahveh is said, as here, to have "sworn" that Moses should not enter the promised land. In view of the fact that this form of assertion is quite a characteristic mark of J, we seem to have in this circumstance another indication that the author had the latter source before him in a more complete form than we now possess it.

**v. 22c :** "This good land." The phrase "the good land" is found in VI, 18 ; VIII, 10 ; IX, 6 ; XI, 17 ; (VIII, 7 "a good land"). Elsewhere in Deuteronomy only at I, 35, and III, 25.

## 66 ORIGINAL FORM OF DEUTERONOMY

**v. 24:** "For Jahveh thy God is a devouring fire, a jealous God." These are two phrases which at once support the original character of this section and exhibit its connection with VI-XI. The expression "devouring fire" is applied to the manifestation of Jahveh's power in Isaiah XXIX, 6; XXX, 27, 30. But the bolder use of the figure, as applied to Jahveh Himself, far from having ever become part of that current phraseology dealt in by secondary Deuteronomistic writers, occurs nowhere else in the Old Testament except at Deut. IX, 3, "And know thou this day that Jahveh thy God is he that passeth over before thee, a devouring fire." We find the poetry of the metaphor turned into characteristic prose by P, Exod. XXIV, 17.

"a jealous God." Apart from the Decalogue, Exod. XX, 5; Deut. v, 9, this expression נָפֶלֶת אֵשׁ only occurs here, at VI, 15, and in Exod. XXXIV, 14 (J).

**vv. 25, 26.** It is frequently assumed that the exilic interpolation which ends with v. 31, begins with v. 25. Thus Dillman remarks on the "want of connection" between v. 25 and v. 24. But this is another instance where a supposed want of connection, on the theory of reconstruction here advanced, not only disappears, but, as we shall presently endeavour to shew, is transformed into a most palpable and vital connection. For the rest, it may be pointed out that the commencement of v. 25 with וְ to introduce a new turn of thought is a characteristically Deuteronomic usage, cf. VI, 20; VII, 19; XXVI, 1, 12, etc. On the other hand, Horst says, "I see no trace of a junction in IV, 25-40. It is all of a piece."<sup>1</sup> But v. 27 clearly takes us to the

<sup>1</sup>R. H. R. XVIII, p. 323.

standpoint of the Exile, which so far has not emerged at all, and at v. 32 a line of remark is begun which has no real connection with what has preceded, and is of the nature of a somewhat diffuse commentary upon the facts recorded in IV, 10 ff., without exhibiting any real advance in thought upon that passage. The syntactical connection of v. 27 with v. 26 no doubt reads quite smoothly, but one cannot demand from an interpolator that he shall make his addition any more noticeable than may be necessary, his object, indeed, being quite the reverse.

The principal argument in favour of the late origin of these two verses, 25, 26, however, is founded upon the employment of the words *הוֹלִיד*, *נִשְׁכַּחַם* in v. 25, the *hif'il* of *הוֹלִיד* being characteristic of P, and the *nif'al* of *נִשְׁכַּחַם* being only found elsewhere in Levit. XIII, 11; XXVI, 10. But neither of these terms appears to necessitate the conclusion that the passage is later than the period of the original Deuteronomy, even taking that to be Josiah's first year. The *qal* *הוֹלִיד* only occurs in Deut. v-xxvi in the sense of "to bear" (xxi, 15; xxv, 6), and therefore it cannot be affirmed that the use of the *hif'il* *הוֹלִיד* here in the sense "to beget" is inconsistent with the usage of the writer of the original Deuteronomy. Again, *הוֹלִיד* with this meaning is found in Deut xxviii, 41; Jerem. xvi, 3; xxix, 6. In view of these facts, it is not only quite possible, but even probable, that the original Deuteronomic author would have used it if he had had occasion, as here, to express the idea. As for the *nif'al* of *נִשְׁכַּחַם* it only occurs in the participial form in the two passages of Leviticus referred to, and in a somewhat technical

## 68 ORIGINAL FORM OF DEUTERONOMY

sense—in the one case of leprosy, in the other, of grain—it would therefore be quite unwarranted to conclude from these instances that the fact of its being used in the way it is here infers a period of composition later than the opening years of the seventh century.

It has been already remarked that the passage, v. 25a, "When thou shalt beget sons, and sons' sons," along with v. 10c, "and that they may teach their children," gives us the explanation of the allusion in XXIX, 14, "And with him that is not here with us this day," as referring to posterity. Neither of the expressions "sons and sons' sons," "thy son and thy son's son," occurs in Deuteronomy, except in this passage and VI, 2 respectively.

With regard to the other expressions used in these two verses, 25, 26, the parallelisms demonstrated to exist between them and VI-XI speak for themselves, and do not require to be dwelt upon here in detail. If it be contended that they may be explained by the dependence of these verses upon VI-XI, such an explanation does not apply to the remarkable connection between this passage and what we take to have been its immediately following context in the original Deuteronomy, viz., v, 29 ff. (in English Version, v, 32 ff.), which may be exhibited as follows :

IV, 23-26. "Take heed unto yourselves, lest ye forget the covenant of Jahveh your God, which he made with you, and make you a graven image of a form of anything. . . . For Jahveh thy God is a devouring fire, a jealous God. When thou shalt beget sons, and sons' sons, and ye shall have been long in the land, and shall corrupt yourselves and make a graven image of a form of anything, and shall do that which is evil in the sight of Jahveh thy God to provoke him to anger, I call heaven and earth to witness against you this day that ye shall

soon utterly perish from off the land whither ye go over Jordan to possess it: ye shall not prolong your days upon it, but ye shall be utterly destroyed. (v, 29) Ye shall observe to do therefore, as Jahveh your God hath commanded you: ye shall not turn aside to the right hand or to the left: ye shall walk in all the way that Jahveh your God hath commanded you, that ye may live, and that it may be well with you, and that ye may prolong your days in the land which ye shall possess. . . . (vi, 14 f.) Ye shall not go after other gods of the gods of the peoples that are round you: for Jahveh thy God is a jealous God in the midst of thee: lest the anger of Jahveh thy God be kindled against you, and he destroy thee from off the face of the land."

It will be observed that the positive admonition of v, 29, "Ye shall observe to do therefore" balances the "Take heed lest thou forget" of IV, 23, and that the phrases "that ye may live, and that it may be well with you, and that ye may prolong your days" balance the threat of destruction in IV, 26. Without IV, 26 to precede v, 30, these phrases in the latter verse are largely deprived of their point. The statement of IV, 24, "For Jahveh is a devouring fire" leads naturally to the thought of the contingent destruction of the nation, and this again to the motive stated for their obedience, viz., "that they may live and that it may be well with them, and that they may prolong their days, etc." Further, in VI, 15 we find the statement of IV, 24, "For Jahveh is a jealous God," united with two separate expressions found in IV, 26, viz., "and he destroy thee," and "from off the face of the land." Cf. also the expression "to grieve him," IV, 25, with "lest the anger of Jahveh be kindled against thee," VI, 15. The form which the prophecy takes in these verses, without the preceding "lest," also occurs at VII, 4.

## 70 ORIGINAL FORM OF DEUTERONOMY


The remarks already made involve the conclusion that the next section of the original Deuteronomy is to be found in VI-XI, and that the actual connection of IV, 26 is with v, 29.

On reading chap. v, it appears that vv. 19-26 constitute a homiletical sequel to the giving of the Decalogue as here narrated. The writer begins by ascribing to the latter an exclusive authority (v. 19 "and he added no more"), thus implying the abrogation of all other forms of the "ten words." He goes on to dwell largely upon the fact of God having spoken to the people "out of the midst of the fire": but it is instructive to note that he does not do so at all in the same way as the author of IV, 10 ff.—why indeed should he in view of v, 8?—but merely expatiates upon its marvellousness, emphasising at the same time the mediatorship of Moses in this connection. He then narrates the promise of Israel to do "all that Jahveh our God shall speak to thee," Jahveh's approval of their utterance, and His expression of a wish that their future conduct might be in sincere accordance with their present professions. After being instructed to tell the people to return to their tents, Moses receives (v, 28) the command we have already referred to, "and as for thee, stand thou here by me, etc." But now observe the form of this verse in comparison with the two following verses. In v, 28 we read, ". . . and I will speak unto thee all the Commandment which thou shalt teach them, that they may give performance in the land, etc." Immediately following this, however, it is said (v, 29) "Ye shall observe to do, therefore, as Jahveh your God hath commanded you, etc." In addition to the abrupt, unmediated transition from the direct

address of Jahveh to Moses, to that of Moses to the people, it is evident that the verbal perfects of vv. 29, 30 cannot have been originally the immediate sequel to the futures of v. 28. But when, as above set forth, we read vv. 29 f. immediately after IV, 23-26, it will be perceived that the syntax, as well as the sequence of thought, leaves nothing to be desired.

## § 4. Deut. V, 29—XI, 28.

It has been already shewn that VI, 1, which in its present position has so little connection with what has preceded that it is generally regarded as a surviving independent title to the section VI-XI, is in reality the repetition of the substance of IV, 14, necessary from the author's point of view in order to mark the transition from the narrative of the Horeb covenant of the "ten words" to its reinforcement as "The Commandment," in connection with the covenant in Moab and the impending entry into the promised land. The author has taken occasion to inculcate upon the people (IV, 10 ff.) that the manner of the revelation at Horeb, when Jahveh had not revealed Himself under any visible form, ought to lead them to eschew the worship of Him under any outward representation, and that they should recognise even the heavenly bodies to be but His creatures, which He had "divided unto all peoples under the whole heaven." Unlike a heathen deity such as the Canaanitish Baal, which, worshipped under different "forms," practically became so many different gods, unlike the "hosts of heaven," which as His creatures Jahveh had "divided" to the various other nations as the objects of their





## 72 ORIGINAL FORM OF DEUTERONOMY

worship, Jahveh Himself, their Creator, Israel's God, is One and Indivisible.

We now see the full import of the announcement made with such impressive solemnity in VI, 4, "Hear, O Israel, Jahveh our God is One Jahveh!" Not without reason have these words stamped themselves in a unique manner upon the historical consciousness of the Jewish people. The memorable and epoch-making declaration which they contain acquires a new significance when it is read, not as coming after the Decalogue of Deut. v—Exod. xx, in which it is already implied, but as the culminating announcement of a passage like IV, 10 ff., in which it has been worked up to, so to speak, as the *Losungswort* of a new religious era. VI, 5 adds the positive side of Israel's enlarged responsibility in connection with the renewal of the covenant. At Horeb Israel had been taught to "fear Jahveh," but now there is given in Moab a new commandment, "thou shalt love Jahveh thy God with all thy heart, with all thy soul, and with all thy might." The "ten words" of the Horeb revelation had been written upon "two tables of stone," but "these words which I command thee this day shall be in thine heart." The former brief command to the people to teach their children is reinforced in these emphatic sentences, "Thou shalt teach them diligently unto thy children, and shalt talk of them when thou sittest in thine house, and when thou walkest by the way, etc." Finally, in view of the arrival of the nation at the border of the promised land, the injunction, derived from the manner of the Horeb revelation, not to make any graven images, is extended in two stages, (1) "Ye shall not go after other gods of the gods of the peoples which are round about you," (2) when Jahveh shall have delivered

these nations into Israel's hands, Israel shall "destroy their altars, and break down their images, etc."

It will be convenient at this stage to deal merely with the question of the unity of VI-XI, and then to proceed to examine certain other sections which appear to have formed part of the Deuteronomic Book of the Covenant, leaving the question of the relation of this section to XII, ff. until we have completed our reconstruction of the original document.

The only passages in VI-XI which we consider to afford convincing evidence of having been interpolated at a later period are IX, 7—X, 11, and X, 22—XI, 7.

The long historical interpolation of chaps. IX, X plainly terminates with X, 11. The commencement of it we take to be IX, 8, "And in Horeb ye provoked Jahveh to anger, etc."—v. 7, "Remember, forget thou not how thou provokedst to anger Jahveh thy God in the wilderness," having been added by the interpolator in order to effect a connection with the preceding passage. The object of this extensive interpolation was no doubt to import into the body of the *Miṣvah* an element of rebuke and warning appropriate to the altered attitude of the nation at a later period towards the Deuteronomic reform. This aspect of the subject is dealt with further at §16 (1); here it need only be added that the insertion was made at this particular point of the discourse, as it appears, because the preceding passage was one of the few that gave the redactor an opening suitable to his purpose. Taking IX, 6,—“Know therefore that Jahveh thy God giveth thee not this good land to possess on account of thy righteousness, for thou art a stiffnecked people,”—as a text for what is to follow, he added v. 7, “Remember, forget thou not, etc.,” as a connecting link.

## 74 ORIGINAL FORM OF DEUTERONOMY

With regard to the shorter interpolation, X, 22—XI, 7, we may refer to § 14 (10). That XI, 29-32 did not originally belong to the text of the *Misvah*, can best be demonstrated in connection with a consideration of the relationship of these verses to XXVII, 11-13, which is discussed in § 13 and § 14 (6).

We come now to the question of the unity of V—XI, 28, after deducting the above passages. Horst has said, in the course of an appreciative and partly approving criticism of D'Eichthal's views, "No one will be able henceforth to affirm the unity of chaps. V—XI without giving the proof of it, which will not always be easy to furnish." It has already been indicated that V, 3-28 does not belong to the original context of this section (see further at § 15 (1)). It remains therefore to be considered whether within V, 29—IX, 6; X, 11-22; XI, 8-28, there are evidences of a composite origin.

It appears to us that while there are undoubtedly indications that leave what we may call the homogeneity of the discourse open to question, and suggest the probability that it may have been revised and added to more than once, and perhaps by more than one writer, before it was actually published—a very reasonable supposition on the theory that it was a reform manifesto—on the other hand, so far as any passages other than the above described interpolations are concerned, Kuenen is justified in contending that these are so similar in tone, standpoint, style, and language to the rest of the section as to be indistinguishable from it, except so far as they involve a repetition of the same ideas, or appear to interfere somewhat with the logical progress of the thought. In our ignorance of the manner in which the Deuter-



onomic Book of the Covenant was composed, it does not appear to be advisable to conclude from such indications that it has been built up out of different sources. When we keep in mind the momentous importance of the function it had to discharge as a pioneer reform document, and the anxiety that must have prevailed before its issue as to the reception it would meet with on the part of the nation as a whole, it is natural to suppose that it may have been the work, not of one, but of several authors, and that it may have been revised and added to more than once before it was published.

At the same time, in response to Horst's demand for proof—though one might fairly contend that the onus of proof lies here on the other side—we believe that there is one line of proof of a most important, if not, indeed, a conclusive character, which is supplied in the case before us by the very theory of the Original Deuteronomy unfolded in these pages.

For in seeking to determine the question of the unity of any composition, it is first of all necessary to understand its dominant idea, and to know what was the purpose and plan of its author. If there is any uncertainty on these points, we must be like searchers groping in the dark. Now, it has been mentioned that according to the theory here presented the conception of a Covenant in Moab, which dominated the original work, was subsequently abandoned, when the latter was combined with the Lawcode. But let us restore this conception to its proper place, and we shall see that many of the supposed difficulties in the way of admitting the unity of the above section disappear. We may take as a test case chaps. VI and VII, the unity of which is most generally disputed.

## 76 ORIGINAL FORM OF DEUTERONOMY

The *Miṣvah*, as we have seen, was intended to be the expression of the conditions attaching to the Covenant in Moab, just as the "ten words" of Horeb had been the expression of the conditions attaching to the covenant entered into there. Although it is usual to call it a "hortatory discourse," it is by no means merely hortatory in character. Its very designation, "The Commandment," implies that its purpose was to impart definite injunctions, as well as to support these by exhortation. Consequently, the alternation in its pages of passages like VI, 13-15; VII, 1-6, 25, 26; with others like VI, 4 ff. 20 ff.; VII, 7 ff., instead of being in any degree out of keeping with the purpose of the composition, is really essential to it. But apart from this, when we keep in mind that the author is here unfolding the conditions of a covenant between Israel and Jahveh, we obtain an additional clue to the plan of his work that is of the utmost value. For Israel, the essence of the covenant lies in loyalty to Jahveh, and this loyalty must be exhibited especially in the matter of worship. The worship of false gods is an absolute breach of the covenant. As the great lesson of the Horeb revelation, when they saw no 'form' of Jahveh, they are forbidden to "make to themselves graven images." Now that they are about to enter a heathen country, they are forbidden (1) to "go after other gods of the gods of the people that are round about them," and (2) when Jahveh enables them to conquer those nations, they are commanded to "destroy" their graven images and all that pertains to their worship. In chap. VI the writer gives a comprehensive summary of the topics he is about to deal with, though not in any formal or systematic manner. Israel's duty is to recognise the oneness of Jahveh, to

love Him fervently, to acknowledge that all good gifts connected with the possession of the land, etc., come from Him, to worship Him alone, to avoid falling under temptations to idolatry, and to teach the rising generation all that the nation owes to Him, especially in the matter of their deliverance from Egypt. In chap. VII, the writer proceeds to expatiate upon these themes. In the first place, when Jahveh shall have delivered the heathen inhabitants of Canaan into the hand of Israel, the latter shall "make no covenant with them," but shall utterly destroy them, their gods, their altars, their *mašseboth*, etc. And why? "Because Jahveh thy God hath chosen thee to be a people of special possession unto himself" (v. 6). Having in the preceding verses, 1-5, laid upon Israel the responsibility of fulfilling their part of the covenant, the author now proceeds to remind them of their indebtedness to Jahveh, (1) for having made the covenant a possibility by His free election of the nation "from among all the peoples that are upon the face of the earth," and (2) for Jahveh's faithfulness to the covenant in the past. "Because Jahveh loved you, and because he kept the oath which he swore unto your fathers, Jahveh brought you forth with a mighty hand, etc." (v. 8). From this faithfulness of Jahveh to His covenant obligations in the past, then, Israel may rest assured that He will be faithful to them in the future. "Know, therefore, that Jahveh thy God, he is the God, the faithful God, that keepeth the covenant" (v. 9). Leaving out of vv. 11, 12 the additions of the "statutes and judgments" revision which obscure the original sense, we may read the original text here as follows:—"And if thou wilt keep the Commandment which I command thee this day . . . (v. 12) then

## 78 ORIGINAL FORM OF DEUTERONOMY

Jahveh will keep the Covenant and the mercy which he swore unto thy fathers." The writer now goes on in perfectly natural sequence to enumerate more fully the blessings that will follow upon the keeping of the covenant on the part of Israel. The enumeration of those blessings leads him to assure the nation at greater length that Jahveh will deliver their enemies into their hand, "until thou have destroyed them," and this allusion to the destruction of the heathen peoples leads him to revert briefly to the all-important condition of the covenant which he began by dealing with, viz., the destruction of the heathen gods and the appurtenances of their worship.

Looking at the contents of these two chapters from this point of view, it cannot, we think, be said that they offer any sufficient grounds for assuming the existence in them of different documentary sources. VII, 25, 26 may have been a revising touch added afterwards because of the importance of the subject, and because in the preceding passage the author has dealt with the destruction of the Canaanites without so far again mentioning their false worship. But it does not appear to be a very extravagant assumption that these verses were even written where we now find them when the passage was first composed, just as a modern "hortatory" writer or speaker will keep reverting, often in a somewhat inconsequent manner, to the dominant thought of which his mind is full.

It is unnecessary for us at this point to pursue the analysis of VI-XI further, for we shall have occasion to deal with most of its parts in connection with subsequent stages of this inquiry. We may, however, especially direct attention to what is said in the immediately following section regarding the mutual relationship of

chaps. VIII, XXVI, and IX, 1 ff., and above all to the significance of XXVI, 17-19 in its bearing upon XXIX, 1-14, and upon the general elucidation of the contents of VI-XI.

### § 5. Deut. XXVI

The close connection between the ideas of VIII, 1-18 and the teaching of chapter XXVI leads us to consider the possibility of this somewhat enigmatical chapter having once formed part of the *Misvah*. That it stands at present only in a very loose and not easily intelligible relationship to the lawcode which immediately precedes it, seems to be generally recognised. Some commentators designate it a "liturgical appendix" to XII-XXV. Stade describes it as "oldest ritual of unique importance,—an addition in the wrong place."<sup>1</sup> On the other hand, Kuenen says: "When I call Deut. XII-XXVI a lawbook, I do so chiefly with reference to chapter XXVI. In XXI-XXV the order of the enactments is often faulty; topics of a similar character are by no means always found together; a definite plan seems to be wanting. With chap. XXVI, however, the lawgiver returns to those subjects which he had placed at the commencement,—the one sanctuary, the first-fruits, the tithes, the priests of the tribe of Levi,—and attaches to them the conclusion of a covenant between Jahveh and Israel on the basis of the statutes and judgments which have now been proclaimed. In XXI-XXV he appears to lose himself in all sorts of details; in chapter XXVI he reaches backward, and shews that he is the same at the end as he was at the beginning."<sup>2</sup> It may be questioned,

<sup>1</sup> *Gesch.* I, p. 657.

<sup>2</sup> *Einleit.* p. 105.



## 80 ORIGINAL FORM OF DEUTERONOMY

however, whether some of the very elements in chapter XXVI upon which this opinion rests have not been added by the writer who placed it in its present position, and who no doubt intended it to discharge in its altered form some such function as above described.

It has often been pointed out that as in v. 10b the worshipper himself is represented as laying down the basket before Jahveh, the priest cannot have previously placed it upon the altar (v. 4), vv. 3, 4 being therefore probably an interpolation in the interests of the priesthood. It appears not unlikely, however, that the passage has been altered from a more comprehensive point of view, viz., in order to bring it into line with the lawcode on the subject of the central sanctuary. In vv. 12, 13, in connection with the offering of the tithes, nothing is said about going to "the place which Jahveh shall choose,"—an omission all the more striking when we observe the effect of the conjunction of v. 12b and v. 13a, ". . . and they shall eat within thy gates and be satisfied. And thou shalt say before Jahveh thy God, etc." Here undoubtedly the natural presumption would be that the liturgical act which follows is to be performed at a local sanctuary. It may be suggested, then, that the latter part of v. 2, "and thou shalt go unto the place which Jahveh thy God shall choose to cause his name to dwell there," has been added in order to bring the injunction of vv. 2 ff. (and by implication of v. 13) into line with the prescriptions of XII ff. The reference to the "Levite" in vv. 11, 12, 13 no doubt also belongs to this later revision.

With regard to the remaining textual question above alluded to, it is not easy to determine what was the

original reading of vv. 2b-4. The phrase *וְהִנְדִּיתִי הַיּוֹם*, v. 3, is found also at XXX, 18, in a section which has the strongest claims to be regarded as part of the *Mišvah*, but occurs nowhere else in the Old Testament. It is probable, therefore, that the announcement of the worshipper in v. 3 is part of the original text, and it may be suggested that this "announcement" at first formed the beginning of the worshipper's statement found in v. 5, which now commences somewhat abruptly with the words, "A Syrian ready to perish was my father." If the transaction with the priest, vv. 3a, 4, was interpolated later, as seems probable in view of v. 10b, it would be fitting that the worshipper should address some words to him. Hence the opening "announcement" would be transferred to the position where we now find it. The whole passage, vv. 2-5, may on this view be conceived to have read as follows:

" . . . that thou shalt take of the first of all the fruit of the ground, which thou shalt bring in from thy land that Jahveh thy God giveth thee. And thou shalt put it in a basket, and shalt come unto the altar of Jahveh thy God. And thou shalt proceed to say before Jahveh thy God, I declare this day that I am come unto the land which Jahveh sware unto our fathers to give us. A Syrian ready to perish was my father, and he went down into Egypt, etc."

With regard to the present position of this chapter, if we suppose for the moment that it originally belonged to the *Mišvah*, and therefore dated from a period anterior to the centralisation of the cultus, it is easy to understand how it came to be removed. For its contents, dealing as they do with acts of worship, were not merely, like the rest of the section, negatively out of harmony with XII ff., but necessarily positively so.

## 82 ORIGINAL FORM OF DEUTERONOMY

Again, from the point of view of the combined *Miṣvah* and *Torah*, it was not even appropriate, or practicable, that acts of worship should be described, until the law dealing with the subject of worship had been announced. Hence when the *Miṣvah* and *Torah* were united, this chapter was removed from its original position within the *Miṣvah*, in order that it might take its place, in a suitably revised form, subsequent to the proclamation of that law.

But it is when we examine the contents and language of chapter XXVI in their relationship to VI-XI on the one hand and XII-XXV on the other, that the probability of its having once formed part of the former section asserts itself. In the first place, apart from the elements characterised above as interpolated, there is a singular want of any substantial connection between the subject matter of this chapter and that of XII-XXV. The simple, primitive act of worship, described in vv. 2-10, seems hardly in keeping with the regulations laid down in chaps. XII ff. for worship at the central sanctuary, which contain no allusion to such an act. Again, when in XXVI, 14 the worshipper proceeds to detail the precepts that he has not transgressed, we naturally expect to hear some of the outstanding "statutes" of the foregoing lawcode recited. But to our surprise, he refers to things that are not mentioned in the lawcode at all: "I have put away the hallowed things from my house. . . . I have not eaten thereof in my mourning, nor given thereof for the dead." These statements may be best explained as referring to well-known consuetudinary practice, dependent upon traditional law. Now, while it is quite intelligible that they should appear in a book written and published before the promulgation of Deut. XII-XXV, it seems altogether impossible to give

## § 5. DEUT. XXVI

any reasonable explanation of their presence on the supposition that the passage in which they stand was of subsequent origin to the lawcode, and intended to be a kind of liturgical appendix to it. Can it be conceived that such an appendix would have been written without displaying any definite relation to what had preceded it? But further, the law of tithing in vv. 12 ff., while exhibiting an exact correspondence with the brief regulations of XIV, 28, 29, is, like that passage, directly in conflict with the law given in XIV, 22-27. It is clear that the latter from its position and length is intended to be the authoritative deliverance upon the subject. XIV, 28, 29 is no doubt an earlier form of the law, which was superseded by that contained in vv. 22-27, though not removed from the text. It has been argued that XXVI, 12 ff. is dependent upon XIV, 28, 29, because of the statement in v. 13, "according to all thy Commandment which thou hast commanded me." But this is just the sort of addition one might expect to be made after XXVI had come to occupy the position it now does relatively to XII-XXV. It is noticeable that the worshipper, after saying, "I have not transgressed any of thy commandments, neither have I forgotten," goes on to refer to subjects not mentioned in XIV, 28, 29 at all. Again, the phrase, "eat and be satisfied," which is found in these verses, and in XXVI, 12, does not occur in XII-XXV at all, but is a familiar expression in the *Misvah*, (VI, 11; VIII, 10, 12; XI, 15). From the whole character of the passage, XXVI, 12-15, it appears more probable that we have in XIV, 28, 29 a law founded upon it, than that XXVI, 12-15 is an expansion of that law.

Apart from the suggested interpolations, and one or two minor points referred to in the following analysis,

## 84 ORIGINAL FORM OF DEUTERONOMY

the only direct contact of XXVI with XII-XXV is found at XXVI, 1, which is almost identical with XVII, 14, and in the phrase "proceed to say," XXVI, 5, which occurs in the 3rd pers. plur. at XXI, 7. On the assumption, however, that XXVI formed part of a work that existed previous to the composition of the lawcode, and in view of the intimate connection apparent between sections VI—XI and XII—XXV in point of linguistic expression, it is obvious that these two passages of XII-XXV may be dependent upon XXVI.

But it is chiefly the positive evidence for its connection with chaps. VIII and IX, which gives force to the contention that this chapter originally formed part of the *Mišvah*.

To begin with, let us look for a little at the relationship observable between the ideas and line of thought of the passages involved. The author begins at VIII, 2 by calling to mind the nation's wanderings in the desert, when Jahveh had afflicted them for a good purpose: "as a man chasteneth his son, so Jahveh thy God chastened thee." But now Jahveh is about to bring them into a good land, whose fruitfulness is described in glowing terms. And then follows the admonition (v. 10), "When thou shalt eat and be satisfied, then thou shalt bless Jahveh thy God for the good land which he hath given thee." They are to beware lest, when they have enjoyed its advantages and become rich, their "heart be lifted up," and they forget Jahveh their God who "brought them out of the land of Egypt, out of the house of bondage," who led them through "the great and terrible wilderness," and lest they say in their heart, "My power and the might of my hand has gotten me this wealth." "But," the writer goes on to say, "thou shalt remember Jahveh

thy God, that it is he that giveth thee power to get wealth, that he may establish his covenant which he swore unto thy fathers, as at this day." So far, the line of thought is clear and continuous. But when we come to the next verse (19), there seems to be a break in the connection: "And it shall be, if thou shalt forget Jahveh thy God, and walk after other gods, etc." This does not appear to be a natural sequence to v. 18, in which the "remembering of Jahveh" has been spoken of in connection with the "power to get wealth." But now let us suppose chap. XXVI interposed between v. 18 and v. 19. It begins, curiously enough, with the same phrase as v. 19, וְיָדַעְתָּ. It exactly corresponds in the lessons it inculcates with the tenor of VIII, 2-18. The concluding prayer which it prescribes contains a verse that appears to be the intentional counterpart of VIII, 10:

<p>VIII, 10. When thou shalt eat and be full, thou shalt bless Jahveh thy God for the good land which he hath given thee.</p>	<p>XXVI, 15. Look down from the holy habitation, from heaven, and bless thy people Israel, and the ground which thou hast given us, as thou swarest unto our fathers, a land flow- ing with milk and honey.</p>
-------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

It may further be noted that XXVI, 15 ends with a phrase, "a land flowing with milk and honey," which is found at VI, 3 and XI, 9, but not in XII-XXV.

Again, on the supposition that XXVI, 17-19 immediately preceded VIII, 19, the significance of the latter verse is seen at once. For in XXVI, 17-19 the covenant, though not explicitly referred to, is evidently implied, "Thou hast caused Jahveh to declare himself this day to be to thee a God, and Jahveh hath caused thee to declare thyself this day to be to him a people."

## 86 ORIGINAL FORM OF DEUTERONOMY

On this declaration there follows with the utmost appropriateness the warning of VIII, 19, "And it shall be, if thou shalt forget Jahveh thy God, and walk after other gods, and serve them and worship them, etc."

In the passage quoted from (p. 79), Kuenen says of XXVI, 17-19, that the writer of the lawcode "attaches to (his concluding observations in chap. XXVI) the conclusion of a covenant between Jahveh and Israel on the basis of the statutes and judgments which have now been proclaimed." But surely such an interpretation of these verses demands that something shall have preceded them in the lawcode to prepare us for the declaration they contain, and to indicate its significance. Horst says of them with more justice that they "introduce a new point of view, which up to the present has nowhere appeared" (*i.e.* in V-XXVI), and after quoting the declaration of mutual fidelity in vv. 17, 18, he asks, "where, when, and how has this come to pass?"<sup>1</sup> The answer to this exceedingly pertinent question, we maintain, is found only, but found with complete satisfaction, in the theory that XXIX, 1-14, in which a covenant in Moab is announced, formed the commencement of the work in which this declaration stood. Observe the occurrence of the phrase "this day" in both cases. In fact, XXVI, 17, 18, which, it should be noted, in the context above suggested, originally came just before the solemn address IX, 1 ff., "Hear, O Israel, thou art to pass over Jordan this day, etc.," exactly re-echoes the announcement made in XXIX, 9-12, "Ye stand this day all of you before Jahveh your God . . . that thou mayest enter into the covenant of Jahveh thy God, and into his oath, which Jahveh thy God is making with thee this


<sup>1</sup> *R. H. R.* xvi, p. 58.

day: that he may establish thee this day unto himself for a people, and that he may be unto thee a God."

Another point of connection between XXVI and what we have suggested as its original context is found in a comparison of XXVI, 5b, where Israel is referred to as having become "a nation great, mighty, and populous," with IX, 1, "Hear, O Israel, thou art passing over Jordan this day to come in and possess nations greater and mightier than thyself."

With regard to the nature of the contents of XXVI, it must be kept in mind that, as has been said, VI-XI contains a very considerable number of perfectly definite injunctions. It cannot, therefore, be decided *a priori* that this chapter is not in keeping with the scope of the section. It is evident, moreover, that it is here not the mere acts of ritual, as ritual, that are the important thing, but rather the confessions and prayers connected with them. Even the "year of tithing" is mentioned, as it were, by the way, the principal object clearly being to inculcate the duty of generosity to the poor. The character of the prescriptions both at this point and in connection with the offering of the first fruits is felt instinctively to be different from the style of the lawcode, and more in keeping with that of the *Misvah*.

Again, on examining the subsequent part of VI-XI, we find a statement that seems to require some such passage as XXVI, 12, to have preceded it, viz., X, 18, 19, "He doth execute the judgment of the fatherless and widow, and loveth the stranger in giving him food and raiment. Love ye therefore the stranger, for ye were strangers in the land of Egypt." Horst says of these verses, "One does not see what business v. 18 has in the context, and above all v. 19, which is certainly





## 88 ORIGINAL FORM OF DEUTERONOMY

interpolated.”<sup>1</sup> But as following XXVI, 12, verse 18 is manifestly appropriate, while the brief repetition given in verse 19 of the argument of XXVI generally is quite characteristic of the author. On the same theory, the passage X, 14, 15 also acquires additional point, “Behold unto Jahveh thy God belongs the heaven and the heaven of heavens, the earth with all that is therein. Only Jahveh had a delight in thy fathers to love them, and he chose their seed after them, even you above all peoples, as at this day.” Here we have three leading ideas of XXVI, the ground as belonging to Jahveh, the heaven as His dwelling-place (XXVI, 15), and the dependence of Israel’s prosperity upon his election by Jahveh.

We shall now proceed to examine in detail the points of contact between XXVI and VI-XI, etc.

v. 1. As already noted, this verse is very nearly identical with XVII, 14a, which may be a reminiscence of it. That its occurrence here does not of itself prove the dependence of this passage upon XVII, 14, is evident when we observe that the substance of the statement has already occurred at VIII, 1, “All the Commandment which I command thee this day, ye shall observe to do, in order that . . . ye may live and multiply, and come and possess the land which Jahveh swear unto thy fathers” ( ? “to give them”). Cf. IV, 21, “. . . the good land which Jahveh thy God giveth thee for an inheritance” (the last six words in the Hebrew are identical). The expression “that thou mayest come and possess the land” also occurs at VI, 18.

יְהוָה does not occur in VI-XI (though it does in IV, 20, 21), but neither does its synonym יְהוָה.

<sup>1</sup> *L.c.* p. 46.

v. 3: "which Jahveh sware unto thy fathers." This expression of Jahveh's "swearing" (here also at v. 15), which only occurs twice in XII-XXV, viz., XIII, 18; XIX, 8, is quite one of the most prominent features of the Book of the Covenant, being found at XXIX, 12; IV, 21; VI, 10, 18, 23; VII, 8, 12, 13; VIII, 1, 18; IX, 5; XI, 9, 21; XXX, 20.

v. 5b: "a nation great, mighty, and populous." These words in various combinations occur at VII, 1; IX, 1; XI, 23. The substantive עַצְמָם also occurs in VIII, 17. On the other hand, no form of the root עצם whatever is found in XII-XXV. The connection between the phrase as used here and in IX, 1 has already been pointed out.

v. 6: "and afflicted us." The *piel* of עָנָה is found at VIII, 2, 3, 16, in the same sense as here, of the afflictions which Jahveh sent upon Israel; but in XII-XXV it only occurs in a specific and wholly different sense (XXII, 24, 29; XXI, 14). Apart from these passages the verb עָנָה does not occur in Deuteronomy.

v. 8: "and Jahveh brought us forth out of Egypt." Cf. VIII, 14, "the bringer of thee forth out of Egypt."

v. 8: "with a strong hand and an outstretched arm." This phrase does not occur at all in XII-XXV, either as a whole or in either of its parts. Nor does it occur in Exodus as a whole, though its two parts do separately. But in Deut. VI-XI the entire combination is found at VII, 19; XI, 2, while "a strong hand" occurs at VI, 2; VII, 8.

v. 8: "terror." מוֹרָא is also found in XI, 25, but not elsewhere in Deuteronomy, except in the secondary passages, IV, 34; XXXIV, 12. Cf. the use of the

## 90 ORIGINAL FORM OF DEUTERONOMY

cognate נִרְאָה, which does not occur in XII-XXV, but is found in VIII, 15 ; VII, 21 ; X, 17, 21.

v. 8: "signs and wonders." In Deuteronomy this phrase only occurs at XXIX, 2 ; VI, 22 ; VII, 19 ; and here, apart from IV, 34 ; and XXXIV, 11.

v. 9: "and he brought us unto this place." By the expression "this place" is evidently meant the promised land. We have here an indirect proof of the interpolated character of v. 2b, for as the chapter now stands, "unto this place" would naturally refer "to the place which Jahveh shall choose" mentioned in that verse. Apart from this, however, the phrase is a link in the evidence connecting XXVI with the rest of the Deuteronomic Book of the Covenant, as compared with XII-XXV. For the word "place" is never used in this sense in the latter section, where the expression "unto the place which, etc.," has quite a technical significance. But we find this very phrase with the verb in the *qal* at XXIX, 6, "And when ye came unto this place." The fact that in the latter passage the expression refers to the land of Moab, while in the verse before us it refers to Canaan, is merely in accordance with the supposition of XXVI, 1, viz., that the liturgical acts prescribed are to be performed after the nation is settled in the land. Besides these two passages, the phrase "unto this place" is not found in Deuteronomy, except at I, 31 ; XI, 5, where the preposition is עַד. At XI, 24, however, we find the expression, "all the place which the sole of your foot shall tread," with reference to the promised land.

v. 9b: "a land flowing with milk and honey." This phrase, which is used here again in v. 15, is not found at all in XII-XXV, but occurs at VI, 3 ; XI, 9, and also, it should be noted, in Jerem. XI, 5.

v. 10a: "the fruit of the ground which thou, Jahveh, hast given me." For this conjunction of ideas, cf. VII, 13, "And he shall bless . . . the fruit of thy ground . . . upon the ground, which he swore unto thy fathers to give thee."

v. 10b: "and thou shalt worship," וְיִשְׁתַּחֲוֶייתָ. This word only occurs once in XII-XXV, and in a passage (XVII, 3) which, as we shall see, is probably dependent upon IV, 19. On the other hand, it is found at IV, 19; VIII, 19; XI, 16; XXX, 17. It thus occurs in four separate portions of the Book of the Covenant, although besides the above passages it is only found once in Deuteronomy, viz., in the secondary exilic section, XXIX, 25.

v. 11: "and thou shalt rejoice, etc." This formula, which is found at XII, 18; XVI, 11, etc., in the Law-code, but not in VI-XI, comes under the scope of the consideration adduced in connection with the word תְּבַרְכָּהּ (v. 12), viz., that in VI-XI, as that section stands at present, there is no occasion for its use, related as it is to an act of worship. It is quite in harmony with the tone of the *Misvah*, which may very probably have set the example here of its employment, and it also occurs in XXVII, 7, which we take to have once formed part of that discourse.

vv. 12 ff. The relationship of this passage to XIV, 28, 29 has already been considered.

v. 12a: "thine increase," תְּבַרְכָּהּ. The use of this word might appear at first sight to be in favour of the connection of this passage with XII-XXV, as it does not occur in VI-XI, but is found, besides, XIV, 22, 28, in XVI, 15; XXII, 9. It must be kept in mind, however, that in VI-XI, where the point of view is that of the prospective entering into the promised land, there is no

appropriate occasion for the use of תְּבִיאָה, which means literally "that which has come," *sc.* into the hand of the cultivator of the ground. This meaning, indeed, is very clearly brought out in XXVI, 2, "Thou shalt take of the first of all the fruit of the ground, which thou shalt *bring in* (תְּבִיאָה) from thy land. Hence, תְּבִיאָה is used in XII-XXV, where the assumption is that Israel is now settled in the land, and also in this chapter which professes to deal with the same circumstances. On the other hand, in a passage like XI, 17, where the author is referring generally to the future fruitfulness of the land, the analogous word יְבִילָהּ is appropriate in the statement, "and the land yield not her produce."

v. 12b: "eat and be satisfied" occurs at VI, 11; VIII, 10, 12; XI, 15; but is not found in XII-XXV, except at XIV, 29—a fact which weighs in favour of the dependence of XIV, 28, 29 upon the passage before us.

v. 12b. It has already been pointed out that in x, 18, we suddenly come upon a reference to "the widow and orphan" that appears to require some previous mention of the subject such as we find here.

v. 13: "and I have not forgotten." It is remarkable that the verb שָׁכַח is never used in XII-XXV in this connection. It is only found there twice, viz., XXIV, 19, of a sheaf left in the field, and XXVI, 19, of the feud against Amalek. On the other hand, it is quite a keynote of the Book of the Covenant, occurring in the same connection as here at IV, 23; VI, 12; VIII, 11, 19. A special importance attaches to the last two passages in the present case, and above all to VIII, 19, which on this theory almost immediately followed the verse before us. "And it shall be, if thou forget Jahveh thy God, etc." The emphatic manner in which the ex-

pression occurs in XXVI, 13, at the close of the worshipper's statement, "And I have not forgotten," is as exactly in accord with the spirit and the suggested surrounding context of the section VI-XI, as it is devoid of all relation to XII-XXV.

v. 14: "I have hearkened unto the voice of Jahveh my God." This expression, which also occurs in v. 17, is correspondingly found at VIII, 20, ". . . so shall ye perish, because ye would not hearken unto the voice of Jahveh your God."

v. 15. The remarkable connection of this verse with VIII, 10 has already been referred to. Cf. also the allusion to heaven as Jahveh's dwelling-place with X, 24, "To Jahveh belongs the heaven, yea the heaven of heavens."

v. 16. This verse, we assume to have been interpolated in connection with the "statutes and judgments" revision, when it took the place of IV, 5-8.

vv. 17-19. These verses have apparently fallen into disorder, possibly owing to a misunderstanding on the part of a redactor of the unique expression **הִתְאַמֵּיר**. Or they may owe their present condition to the later addition of supplementary phrases on the basis of such a misunderstanding. Oettli's suggestion that **הִתְאַמֵּיר** is a corrupt reading for **הִתְאַמֵּן** does not appear to be required, since the former word, taking it in its literal meaning, "has made to say," gives a perfectly satisfactory sense. For the sake of preserving the infinitives in their literal force, we may use the word "promise," when the subject matter of the verses may be rearranged thus—(v. 17a) "Thou hast made Jahveh promise this day to be to thee a God, (v. 19) and to set thee on high above all nations which he hath made, for a praise, and for a name, and for an honour:

## 94 ORIGINAL FORM OF DEUTERONOMY

(v. 18) and Jahveh hath made thee promise this day to be to him a peculiar people, as he hath said unto thee, (v. 17b) and to walk in his ways, and to hearken unto his voice, (v. 19b) and to be a holy people unto Jahveh thy God."

It has already been pointed out that if we suppose this solemn declaration of the renewal of the covenant to stand immediately before VIII, 19, 20, it receives a greatly enhanced significance, for in that case it comes, with the vitally connected warning of these verses, immediately before IX, 1 ff., "Hear, O Israel, thou art about to pass over Jordan this day." The obvious relationship between this passage and XXIX, 9-12 has already been dwelt upon. Cf. with both passages, VIII, 18, "that he may establish his covenant which he swore unto thy fathers, as at this day."

v. 17: "and to walk in his ways." This expression also occurs at VIII, 6; XXX, 16: elsewhere in Deut., only XIX, 9 (one of the most strongly marked reminiscences of the *Misvah*) and XXVIII, 9, in a passage which, as we shall see, probably formed part of the *Misvah*.

v. 18: עַם סְגֻלָּהּ. In Deut. only here and VII, 6; XIV, 2. In all three passages the expression is combined, as in Exod. XIX, 5, 6, with the other "a holy nation." Here and in VII, 6 they are used, as we should expect, in direct connection with the general covenant relationship of the nation to Jahveh, whereas in the admittedly late passage XIV, 2 they are used merely to enforce the particular precept, "Ye shall not cut yourselves nor make any baldness between your eyes for the dead."

vv. 18, 19: "to be to him for a people . . . and for a name, and for a praise, and for an honour."

These words are quoted in the same order, but without the intervening phrases in Jerem. XIII, 11. This indicates that the passage here has been subsequently added to, and it is probable that the sentence "and to set thee on high above all nations which he hath made" dates from the period of the first combined edition of Deuteronomy, when this passage was probably preceded by IV, 5-8.

v. 19: "for a praise." The word תְּהִלָּה only occurs elsewhere in Deut. at X, 21, in a passage which, as already indicated, appears to give a brief repetition of the teaching of XXVI.

v. 19: "and to make thee high above all nations which he hath made." The word עָלִיז only occurs elsewhere in Deut. at XXVIII, 1 (probably dependent upon this passage) and XXXII, 8. But the same idea is found at VII, 6, as also in Exod. XIX, 5, 6.

A consideration of the above particulars, we think, fully confirms the suggestion here submitted, that chap. XXVI in its original form constituted part of the *Misvah*, and occupied a position between VIII, 18 and 19.

§ 6. Deut. XXVII, 1-8.

Another passage, the true explanation of whose presence in the Book of Deuteronomy probably is that it once formed part of the Book of the Covenant in Moab, is the original kernel of XXVII, 1-8. This we take to have been substantially, so far as it has been preserved to us, vv. 1b, 3b-4a, 5-7,—“Keep all the Commandment which I command you this day, that thou mayest come unto the land which Jahveh thy God giveth thee, a land flowing with



## 96 ORIGINAL FORM OF DEUTERONOMY

milk and honey, as Jahveh the God of thy fathers said unto thee. And it shall be that when ye pass over Jordan, ye shall set up . . . and thou shalt build there an altar to Jahveh thy God, an altar of stones: thou shalt not lift up iron upon them: of unhewn stones shalt thou build the altar of Jahveh thy God, and thou shalt offer up upon it burnt offerings to Jahveh thy God, and thou shalt sacrifice peace offerings, and thou shalt eat there, and thou shalt rejoice before Jahveh thy God."

Chap. XXVII is admitted on all hands to be perhaps the most difficult chapter in the Book of Deuteronomy to explain. Its contents, in conjunction with XI, 29, 30 and Josh. VIII, 30-35, have been subjected to an exhaustive analysis by Kuenen,<sup>1</sup> the results of which, at least as they affect Deut. XXVII, 4; XI, 29, 30, it may be convenient to exhibit here in their entirety, as we shall have occasion to refer to them more than once. They are as follows:—

In the original Deuteronomy (which Kuenen regarded as consisting of IV. 45—XXVI; XXVII, 9, 10; XXVIII), the only mention of mounts Ebal and Gerizim was in XI, 29, 30. The command given in these verses is to "*put* the blessing and the curse upon" these two mountains respectively. Kuenen takes the verb *נָתַן* here in what he regards as its most simple and natural sense, in the absence of any further explanation, and not in the sense of to "utter," which he considers to be imported into this passage by translators from chap. XXVII. In thus connecting those two well-known hills near Sichem with the "blessing and the curse," the author, Kuenen suggests, designed to keep before the nation emblematically what would

<sup>1</sup> *Theol. Tijds.* XII, pp. 297 ff.

be the certain result of their conduct after their settlement in Canaan, according as they obeyed or disobeyed the law. In a second edition of Deuteronomy, separated by no great interval of time from the first, the Deuteronomic expansion of an older injunction concerning a sacrificial feast to be held on Mount Ebal, was added in front of XXVII, 9, 10, its object being to give visible form to the authority of the Deuteronomic law in Canaan by the prescription of a symbolical act. The mutual relationship of XI, 29, 30 and XXVII, 1-8 remained accordingly undefined. In order to supply this defect, one of the redactors of the Pentateuch added the injunction contained in XXVII, 11-13. This was intended by him as a more exact regulation of what is enjoined in XI, 29, 30, but is, in point of fact, a deviation from the meaning of the Deuteronomic writer in that passage. In its turn this addition, XXVII, 11-13, was at a still later date extended by a new interpolation, vv. 14-26. The author of these verses was acquainted with the Priest Code, and shews by the function which he ascribes to the Levites, and by the selection of the transgressions which he brings under their ban, that he aimed at carrying out the spirit of its legislation.

We shall deal with Kuenen's theory regarding the origin of XXVII, 9-26, and the mention of Ebal and Gerizim, later. Confining our attention at present to XXVII, 1-8, it may be pointed out that the above conclusions leave what is, after all, the greatest mystery of the passage unsolved. That it contains in its present form a later revised version (the covering of the stones with plaster and writing the law upon them) of an "older injunction" (the erecting of an

## 98 ORIGINAL FORM OF DEUTERONOMY

altar and offering of sacrifices) appears to be incontestable. But what Kuenen has failed to shew, and what has never been satisfactorily explained, is *why* this "older injunction," which is not in harmony with the law of chap. XII, ever came to find a place in this chap. XXVII, or indeed in any part of the book of Deuteronomy at all. Now, if this question be carefully considered, the answer, if anything else than a mere counsel of despair, will, we think, appear almost inevitable—it only did so because the redactor who was responsible for its presence here did not feel himself quite at liberty to omit it. Observe, the passage stands in a wholly different position from such a section as XXVII, 15-25, for these verses, while containing much that is not mentioned in the Deuteronomic lawcode, do not contain anything contrary to its regulations. But here we have an express injunction on the all-important subject of national worship, which, while in exact accord with the earlier law (Exod. XX, 24, 25), is not at all in accord with the outstanding idea of the Deuteronomic lawcode. On what ground, then, did the earlier redactor of the book not feel himself at liberty to omit this passage? Only, doubtless, because he knew that it had once formed part of the *Mišvāh*. The same reason that led him to retain XXVI, after revising it to bring it into harmony, so far as practicable, with XII ff., also led him to preserve this passage, after enveloping the narrative in an account of how the "large stones" which were set up beside the altar were placed there for the express purpose of having the *torah* written upon them. There can be little doubt that in the original text those "large stones" were *maššēboth*, as in Exod. XXIV, 4.

But on the assumption that the Deuteronomic Book of the Covenant was composed at a period anterior to the centralisation of the cultus, it would be very natural that a command such as the above should have found a place in it. All throughout it account is taken of the duty of "serving" Jahveh, as well as of obeying and loving him. And although, in view of the prophetic standpoint of the writer, any extensive dwelling upon matters of ritual lay beyond the scope, as it was contrary to the spirit of his work, it is not to be expected that he would altogether omit to mention certain acts of worship of a representative character, especially such as might be in the line of his own favourite ideas. Thus in chap. VIII he dwells upon the necessity of Israel's remembering that it was not their own power that had "gotten them this wealth," and follows this reflection, as we have suggested, by prescribing the simple liturgical ceremonies of chap. XXVI, whereby the individual Israelite should be reminded of his dependence for the fruits of the ground upon the divine blessing, and his own fulfilment of the duties of benevolence. Similarly, in connection with Israel's taking possession of the promised land, this passage contains an injunction regarding a solemn act of national worship to be performed immediately on passing over the Jordan, when the nation for the first time actually stood within its borders. We have here probably the earlier account of the supposed origin of that "altar by the Jordan, a great altar to see to," the remains of which in the form of a tumulus and stone circle were perhaps still to be seen, and the later account of whose construction as conceived by P<sup>s</sup> is to be found in Josh. XXII, 9 ff.

## 100 ORIGINAL FORM OF DEUTERONOMY


The original position of this passage was probably between X, 21 and XI, 8, where we find a short section of a character quite in keeping with the supposition that it was for the most part interpolated to fill up a gap. On studying the context on either side of this section, we may still discern certain indications that are at least in harmony with the above suggestion, though it is to be premised that the connecting words at each end of the removed passage probably no longer exist in their original form. But we may first of all see how it reads, taking the text as it stands. (X, 20, 21) "Thou shalt fear Jahveh thy God, him shalt thou serve, and to him shalt thou cleave, and by his name shalt thou swear. He is thy praise, and he is thy God, that hath done for thee those great and terrible things which thine eyes have seen. (XXVII, 1b, 3b-4a, 5-7) Keep (therefore) all the Commandment which I command you this day, in order that thou mayest come unto the land which Jahveh thy God giveth thee, a land flowing with milk and honey, as Jahveh the God of thy fathers said unto thee. And it shall be that when ye pass over Jordan, ye shall set up . . . and thou shalt build there an altar to Jahveh thy God, an altar of stones: thou shalt not lift up iron upon them: of unhewn stones shalt thou build the altar of Jahveh thy God: and thou shalt offer upon it burnt offerings to Jahveh thy God, and thou shalt sacrifice peace offerings. And thou shalt eat there, and thou shalt rejoice before Jahveh thy God. (XI, 8) And ye shall keep all the Commandment which I command thee this day, in order that ye may be strong, and come and possess the land, whither ye are going over to possess it, and that ye

may prolong your days upon the land which Jahveh swore unto your fathers to give them and to their seed, a land flowing with milk and honey."

It will be observed that XI, 20 lays stress upon those very elements of Israel's duty that are most closely connected with the idea of worship. Israel is to "fear" Jahveh, to "serve" him, and "cleave" to him (cf. IV, 3, 4), and "swear by his name." This is a fitting prelude to the prescription of a national act of worship such as we have in the passage before us. Then again, there is a very obvious and natural progression of thought from XXVII, 1b, "Keep all the Commandment which I command you this day, that thou mayest *come unto* the land, etc.," to that of XI, 8, "And ye shall keep all the Commandment which I command thee this day, that ye may be strong, and come and *possess* the land, . . . and that ye may *prolong your days* upon the land." Thus when the nation has crossed the Jordan, and has accordingly actually reached the promised land, they are to be reminded by this act of worship that it is only by continued faithfulness to Jahveh that they can succeed in the conquest of it and retain its possession. Cf. XI, 16, 17.

Apart from the main question of the altar, one point in which this law of XXVII differs from XII ff. is the mention of "peace-offerings," but this, again, is a point which brings the passage into distinctive accord with the terminology of the earlier Decalogue, Exod. xx, 22.

Kuenen's analysis brings the phrase "on Mount Ebal," v. 4, into connection with the narrative of the altar. But the mention of Mount Ebal probably belongs to a later redaction of the passage. It will be observed that the earlier redactor commences with



the words: "In the day that ye pass over Jordan," thus showing it to be within his knowledge that the transaction was to take place immediately after the crossing of the river.

The close connection of the expressions used in v. 3b with those of VI, 3 is worthy of note: (v. 3b) "... the land which Jahveh thy God giveth thee, a land flowing with milk and honey, as Jahveh the God of thy fathers spake unto thee"; (VI, 3) "... as Jahveh the God of thy fathers spake unto thee, a land flowing with milk and honey."

#### § 7. Deut. XXVIII

The continuation of the passage XI, 26-28 is most probably found in certain portions of chap. XXVIII, that contain an exposition of the "blessing and the curse" announced in those verses.

In chap. XXVIII three different elements may be distinguished: (1) a succinct statement of the blessing and the curse in two exactly balanced sets of six short utterances, each of the first set beginning with the word בָּרֵךְ, and each of the second with the word אָרִיר; (2) a longer rhetorical statement of the same, or at least similar subject matter, in which the balance between the two elements is in like manner preserved; (3) large additions of a somewhat promiscuous character to the "curse," chiefly occupying the latter part of the chapter.

We may here so far anticipate what follows (§ 13), as to mention that the first of those elements, viz., vv. 1\* ("if thou shalt hearken unto the voice of Jahveh thy God"), 3-6, and vv. 15\*<sup>1</sup> ("and if thou shalt not

\* The asterisk signifies that only a part of the verse thus marked is referred to.

hearken unto the voice of Jahveh thy God"), 16-19, is taken to be the version of the blessing and the curse which was originally attached to the first or separate edition of the *Torah*, or lawcode. Again, the additions to the "curse" we conclude to have been added in connection with two later editions of Deuteronomy, § 16 (2), § 17 (1). On the other hand, it is highly probable that the second of these three elements, that which consists of a balanced rhetorical statement of the blessing and the curse (vv. 7 ff., 20 ff.), once formed part of the *Mišvah*, following immediately XI, 28.

In the present instance, the ordinary critical canon, that a shorter and more compact version of similar subject matter must be held to be earlier than a more expanded form of it, is negatived by a consideration of the character of the documents to which the two versions respectively belong. If it was the fact that the Book of the Covenant and the Lawcode each included in its closing passages a statement of the "blessing and the curse," then we might expect that in the former case this would take the broad oratorical form characteristic of the work in which it appeared, while in the latter it would assume a more precise and compact form in keeping with a body of "statutes and judgments."

When we compare vv. 1-2, which introduce the blessing, with v. 15, which introduces the curse, we find that they correspond exactly, with the following exceptions. In the former passage we have the addition of a sentence, v. 1b, "and Jahveh will set thee on high above all the nations of the earth," no negative form of which appears in v. 15. Again, the sentence v. 1a, "if thou hearken unto the voice of Jahveh thy God" is repeated, unnecessarily, at the end of v. 2.



Finally, the addition "and the statutes" is found in v. 15, but not in v. 1. It appears probable, then, that the sentence v. 1b has been inserted later with reference to XXVI, 19, where it also occurs. The fact that the words, "if thou hearken, etc.," appear twice in vv. 1, 2, suggests the idea that the lawcode's version of the "blessing and the curse" also began with this sentence. That the word *Misvah* is found alone in v. 1a, harmonises with the supposition that we have here a passage which originally belonged to the Book of the Covenant, the phrase "and the statutes" of v. 15 being a later addition.

The question as to the precise extent of this original portion of chap. XXVIII is somewhat difficult to determine, for, as has often been remarked, the contents of this chapter, from their very nature, must have lent themselves in an especial degree to the process of later expansion. Again, there are indications that we no longer have the earlier portions in their original order. At the same time, there are considerations which make it possible to arrive at a definite result. In the first place, it may be assumed that the late additions are exclusively connected with the curse, and not with the blessing. Hence it appears probable that we possess vv. 7-14 as it was at first written. It is further to be supposed that, although we need not expect to find in the rhetorical statement of the two contrasted elements the same exactitude of correspondence that characterises the lawcode's version, there must yet have been a general similarity in their contents.

Now, when we examine vv. 7-14, we find that the blessing may be analysed under three headings, viz. : (1) victory over Israel's enemies, v. 7 ; (2) fertility of the land, etc., vv. 11, 12a ; (3) superiority over other nations,

vv. 10, 12b, 13a. In vv. 20 ff. the corresponding prophecies of disaster appear as follows: (1) destruction by pestilence and drought (reading *חֶרֶב* in v. 22), etc., vv. 20-24; (2) defeat by enemies, v. 25; (3) general decadence and alien superiority, vv. 43-44. When it is observed that these various sections exhibit respectively a distinct mutual relationship in the terms employed, it appears tolerably certain that they constituted the original text of this part of the *Mišvah*. On the other hand, v. 26 is found in Jerem. VII, 33, and v. 25b, with its apparent allusion to the Exile, contains a phrase, "all the kingdoms of the earth," which is characteristic of Jeremiah, but is not found in Deuteronomy. It seems likely, then, that we have in 25b ff. a later expansion of the "curse," a conclusion which the contents of the section, vv. 25b-38, confirm. Again v. 41, which exhibits a still clearer reference to the Exile, indicates a break in the connection where it occurs. The previous verses, 38-40, 42, appear to be unnecessary after vv. 22-24, and are, besides, of a specific character hardly in keeping with the other statements. On the other hand, v. 45 was evidently meant to be the closing sentence of the original section, the remainder of the chapter having been added at a period when the writer was not so much stating an alternative that lay before the nation as pronouncing against it a fate which could not be averted.

Hence it may, on the whole, be concluded that the original text of the Book of the Covenant in this chapter is as follows: vv. 1a, 2a, 7-14, 15,\* 20-25a, 43, 45. It will be observed that the lawcode passages may be simply omitted without in any way affecting the sense or connection: vv. 1a, 2a, 7: "And it shall be, if thou hearken diligently unto the voice of Jahveh

thy God, to observe to do all his Commandment which I command thee this day, that all these blessings shall come upon thee and overtake thee. Jahveh shall cause thine enemies that rise up against thee to be smitten before thee, etc." vv. 15, 20: "But it shall be, if thou wilt not hearken to the voice of Jahveh thy God, to observe to do all his Commandment which I command thee this day, that all these curses shall come upon thee and overtake thee. Jahveh shall send upon thee execration, discomfiture and rebuke in all that thou puttest thine hand to, etc."

We shall now proceed to examine in detail the points of contact between the section as above reconstructed and VI-XI, etc.

v. 1: "And it shall be, if thou shalt surely hearken unto the voice of Jahveh thy God." Cf. XI, 13, "And it shall be, if thou shalt surely hearken unto my Commandment which I command you this day." The phrase **אם-תשמיע תשמיע** only occurs in these two places in Deuteronomy, except at XV, 5, in a passage that is dependent upon that before us.

v. 1: "observe to do," as at V, 29; VI, 3, 25; VII, 12.

v. 1: "hearken unto the voice, etc," as in VIII, 20; XXX, 20; XXVI, 14, 17.

v. 9: "Jahveh will establish thee to himself for a holy people." Cf. VII, 6, "For thou art a holy people to Jahveh thy God: Jahveh hath chosen thee to be to him a people of possession": XXIX, 12, "in order to establish thee this day to himself for a people": also XXVI, 18a, 19c. It is a remarkable fact that notwithstanding the frequency with which the idea contained in these verses appears in various Old Testament books, the above two verses, XXIX, 12 and XXVIII, 9 are the

only passages in the Old Testament where **הִקְיִם** is used in connection with the selection of Israel to be God's people. **הִקְיִם** is, however, found in the sense of "establish" in VI-XI in the following connections, VIII, 18 (the covenant), IX, 5 (the word that Jahveh swore). It is not found in any of these connections in XII-XXV.

**v. 9**: "if thou shalt keep the Commandment of Jahveh thy God and walk in his ways." This sentence is found almost verbatim in VIII, 6.

**v. 10c**: "and shall be afraid of thee,"—the same idea as in XI, 25.

**v. 11**: Cf. VII, 13b: "And he shall bless the fruit of thy body and the fruit of thy ground . . . upon the land which Jahveh swore unto thy fathers to give thee,"—the latter clause, from "upon the land," being verbatim as here.

**v. 12**: "Jahveh shall open unto thee his good treasury, the heavens." Cf. XI, 17b, "And he shall shut the heavens, and there shall not be rain."

**v. 12**: "to give the rain of thy land in its season." Cf. XI, 14a, "and I will give the rain of your land in its season." Apart from these passages, and v. 24 here, the phrase **מִיַּד אֱלֹהִים** does not occur in the Old Testament.

**v. 13b**: "if thou shalt hearken unto the Commandment of Jahveh thy God, which I am commanding thee this day"; almost verbatim as in XI, 27. Cf. also XI, 13a.

**v. 14**: "and shalt not turn aside . . . to the right hand or to the left," as in v, 29. Cf. also, "turn aside . . . to go after other gods to serve them," with VI, 28b, "and shall turn aside to go after other gods":

## 108 ORIGINAL FORM OF DEUTERONOMY

VI, 14, "ye shall not go after other gods": VIII, 19, "and if thou goest after other gods and servest them": XI, 16, "and lest ye turn aside and serve other gods." Cf. also VII, 4.

v. 20: "discomfiture," מְדִימָה. This word occurs nowhere in the Hexateuch, except here and at VII, 23.

v. 20: "until thou be destroyed, and until thou perish quickly." Cf. VII, 23, "until they are destroyed" (same construction with יָרָא as here): VII, 4, "and he destroy thee quickly": VIII, 19, "that ye shall surely perish": IV, 26, "that ye shall surely perish quickly . . . for ye shall surely be destroyed": XI, 17, "and ye perish quickly."

v. 21: "whither thou art coming to possess it"—verbatim as in VII, 1; XI, 10.

v. 23. The reference to the heavens and the earth is characteristic for the author of the Book of the Covenant (see on XXX, 12, p. 110).

v. 24: "the rain of thy land" (see above on v. 12).

After due allowance for the special character of the contents of the above section, it will be seen that the coincidences are sufficient to establish an essential connection with VI-XI, and not merely one of such a nature as could be accounted for by the supposition of dependence. Take for example what is said in v. 12, "Jahveh shall open unto thee his good treasury, the heavens," and compare this with XI, 17b, "And he shall shut the heavens, and there shall not be rain." When it is observed that the underlying, and not at all external, coincidence of a distinctive kind here implied occurs in connection with a phrase, "the rain of thy land in its season" (v. 12; XI, 14), which occurs nowhere else in the Old Testament either in its longer or shorter (v. 24, "the rain of thy land") form, it becomes evident that

we have here the sort of connection that implies unity of authorship.

Verse 45, which repeats the expressions with which the "blessing" and "cursing" passages are introduced (vv. 2, 15), is clearly the conclusion of the section to which these passages belong. It ends with a sentence in which the verbs are in the perfect tense ("because thou didst not hearken," "which he commanded thee"), for the author is here expressing himself from the standpoint of the hypothetical fulfilment of the "curse." The connection with xxx, 11, "For this Commandment which I am commanding thee this day," therefore, in which he reverts to his attitude of appeal, is entirely in keeping with the assumption that xxx, 11-20 followed this passage in the original work, and with the whole line of thought taken by its author. On the other hand, v. 46, "and they shall be upon thee for a sign and for a wonder and upon thy seed for ever," appears to imply the different point of view exhibited in the latter section of the chapter, in which there is no longer a tone of appeal, but only the pronouncement of doom, and the description of punishment. This verse, then, is probably from the hand of the later author.

#### § 8. Deut. XXX, 11-20.

This passage we consider to have formed the conclusion of the *Mišvah*, and to have immediately followed XXVIII, 45. If it be read in connection with the whole passage referring to the blessing and the curse, and commencing with XI, 26 (see Appendix), the connection will be seen to be so striking as to be almost self-evident.

It will be noticed that at xxx, 15, the writer says,

## 110 ORIGINAL FORM OF DEUTERONOMY

"See, I have set before thee this day life and good, and death and evil," and then at v. 19 he adds, "I call heaven and earth to witness against you this day that I have set before thee life and death, the blessing and the curse." Steuernagel remarks on this, "It is indeed surprising that there follows here once more a curse, after the sufficiency of such utterances in chap. XXVIII,"<sup>1</sup> and takes this as a reason against the integrity of the passage. But when we read the latter in the above connection the phrase is seen at once to refer most naturally to what has gone before.

As we should expect in the closing passage of his great appeal, the points of contact with the author's previous utterances are here especially clear and numerous.

v. 11: "this Commandment." The fundamental conception of the *Misvah*, in its appeal to the heart, is brought out in all its force and grandeur, as at the beginning of the discourse (VI, 4 ff.),—the addition "statutes and judgments" in v. 16, being obviously out of all real connection with the purport of the passage.

v. 11: "too difficult for thee." In Deuteronomy the verb נָחַץ only occurs here and at XVII, 8; XXVIII, 59. The phrase in the former passage, "a matter too difficult for thee" has a certain resemblance to the expression before us, but in view of other facts can at most be regarded as a reminiscence from this passage, though the nature of the phrase hardly makes this necessary.

v. 12. The reference to "heaven" here and in v. 19 is characteristic of the author. In XII-XXV the word only occurs twice, viz., in XVII, 3 (dependent upon IV, 19), and XXV, 19, in the phrase "from under the

<sup>1</sup> *Rahmen*, p. 44.

heaven." On the other hand, it is found at IV, 11, 19; X, 14; XI, 11, 17, 21; XXVI, 15. The adverbial form **הַיּוֹם** is only found in two places in Deuteronomy, viz., here, and at IV, 19.

v. 14: "But the word (or matter) is very nigh unto thee, in thy mouth and in thy heart, that thou mayest do it." The whole purport of these verses, 11-14, is in striking and vital connection with VI, 6 ff., "And these words which I command thee this day shall be upon thy heart, and thou shalt . . . talk of them when thou sittest in thine house, etc." Cf. XI, 18: "Therefore shall ye lay up these my words in your heart and in your soul."

v. 15: "See, I have set before thee this day life and good, and death and evil." These contrasted alternatives run all throughout the Book of the Covenant, and have just been alluded to shortly before (XXVIII; XI, 13-17). Cf. also IV, 25, 26; V, 29, 30; VI, 15; VII, 12 ff.; VIII, 19, 20, etc. For the particular expressions, "life and good, and death and evil,"—apart from the well-known phrases of the *Mišvah*, "that ye may live" and "that ye may prolong your days,"—cf. XI, 21, "that your days may be multiplied": also X, 13, "which I command thee for thy good": VI, 18, "And thou shalt do that which is right and good": XXIX, 8b, "that ye may prosper in all that ye do": and especially V, 30,—immediately preceding the commencement of the *Mišvah*, "that ye may live, and that it may be well with you (**וְיָטִיב לָכֶם**), and that ye may prolong your days."

v. 16. This verse, the construction of which at "live and multiply" requires at its commencement the clause that is found in the LXX,—“If thou shalt hearken to the Commandment of Jahveh thy God,” sums up the



teaching of the *Mišvah* in phrases too well known to require exhaustive citation. It is to be noted, however, that the same combination as in the first part of the verse occurs at XI, 22, "For if ye shall diligently keep all this Commandment which I command you to do it, to love Jahveh your God, to walk in all his ways," while the concluding phrase of XI, 22, "and cleave unto him" is found here in v. 20. Cf. further, VIII, 1, "that ye may live and multiply, and come and possess the land": VII, 13, 14, "He will love thee, and bless thee, and multiply thee: he will also bless the fruit of thy body, etc. . . . Thou shalt be blessed above all people": IX, 5, "thou art coming to possess their land": VII, 1, and IX, 10, "the land whither thou comest to possess it" (precisely as here).

v. 17: "but shalt be drawn away, and worship other gods, and serve them." This sentence constitutes a very direct link of connection with IV, 10-26, being almost identical with IV, 19, "and be drawn away, and worship them and serve them." As was pointed out in dealing with IV, 19, the combination **וְהִשְׁתַּחֲוִיתָ** occurs nowhere else in the Old Testament. On "worship and serve," see under IV, 19.

v. 18a: **הִנָּדָהּ הַיּוֹם**. This phrase is found nowhere in the Old Testament except at XXVI, 3, and here.

v. 18a: "that ye shall surely perish,"—as in VIII, 19, where the word "testify" is the same (**וְהִקְדַּחְתִּי**) as in v. 19 here. In fact, VIII, 19 is a variant of vv. 17 and 18 here, "And it shall be, if thou shalt forget Jahveh thy God, and walk after other gods and serve them, and worship them, I testify against you this day that ye shall surely perish." The variations, it will be noticed, are quite what we might expect in an original writer, and are opposed to the supposition that one of

these passages is dependent in a secondary sense upon the other.

v. 18b: "ye shall not prolong your days." Here again we have a close contact with the verse immediately preceding the commencement of the discourse, v, 30, "that ye may prolong your days in the land which ye shall possess." Cf. also XI, 9; VI, 2.

v. 18c: "the land whither thou art passing over Jordan to come to possess it." There is only one reference to "passing over Jordan" in XII-XXV, and that is at XII, 10, "And when ye pass over (וַעֲבַרְתֶּם) Jordan, and dwell in the land which Jahveh your God is causing you to inherit (מִנְחִילָה)." On the other hand, the phrase as here, with the verb in the participle and followed by יָרַשׁ, which is found once in the prelude to the lawcode (XI, 31), is one of the commonest and most distinctive expressions in the Book of the Covenant. Thus we find it in IV, 14, "in the land whither ye are passing over to possess it": IV, 22, "I am not passing over, but ye are passing over, that ye may possess, etc.": VI, 1, "in the land whither ye are passing over to possess it": IX, 1, "thou art passing over the Jordan this day to come to possess nations, etc.": XI, 8, "that ye may be strong, and come to possess the land": cf. XI, 11; VII, 1. It will be observed that the conjunction of the same three expressions, "pass over," "come," "possess," as here, occurs at IX, 1, and XI, 8, and that the former of these two verses, where the most solemn and formal announcement of the impending crossing of the Jordan is made, is that which most nearly resembles the verse under consideration, being, so far as it goes, identical with it in the use and order of these three verbs, "thou art passing over Jordan to come to possess."

## 114 ORIGINAL FORM OF DEUTERONOMY

**v. 19:** "I testify against you this day,"—identically as in IV, 26, and VIII, 19. Apart from these three passages, the phrase only occurs in Deuteronomy at XXXI, 28, and XXXII, 46.

**v. 19a:** "the heavens and the earth." A similar combination is found at X, 14; XI, 21; but not in XII-XXV.

**v. 19a:** "I have set before thee life and death, the blessing and the curse." The author here gathers together the ideas of the whole passage commencing with XI, 26, "Behold, I am setting before thee the blessing and the curse." Having fulfilled his purpose, he now says, "I have set before thee life and death, the blessing and the curse." (See further on vv. 15, 18a of this passage).

**v. 19b:** "that thou mayest live,"—as in v, 30; VIII, 1, "thou and thy seed": cf. X, 15; XI, 9, "that your days may be multiplied, and the days of your children."

**v. 20a:** "to love Jahveh thy God." Thus in his last words the author strikes the keynote of VI, 5. "To cleave, etc." (see above on v. 16). "Hearken, etc." (see on XXVI, 14).

**v. 20b:** "for that is thy life and the length of thy days." The thought is here the same as in XI, 13-21 (cf. vv. 9, 21), VI, 2b, 5, etc.

"For that is thy life." Apart from Prov. IV, 13, where it is used in connection with the word מִיֶּסֶד this phrase is not found elsewhere in the Old Testament, except at XXXII, 47—a passage that probably formed the conclusion of the Book of the Covenant.

**v. 20b:** "upon the ground which Jahveh swear, etc." Cf. XI, 9: "upon the ground which Jahveh swear unto

your fathers to give them": with regard to the expression "Jahveh swear," see on XXVI, 3. We find this phrase with the addition of the names of the patriarchs in XXIX, 12; VI, 10; IX, 5; but not in XII-XXV.

§ 9. **Exod. XXIV, 4-8.**

It may perhaps appear somewhat adventurous to suggest that part of the original Deuteronomy is to be found in our present Book of Exodus, and we do not profess to regard this particular suggestion as standing on the same level of probability, or as capable of the same kind or amount of verification as is the case with, for example, that which has just been discussed. Nor is it essential for the scheme of reconstruction developed in the foregoing pages, seeing that it is concerned with a possible epilogue only, and not with the actual substance of the Book of the Covenant. At the same time, there are circumstances that appear at least to warrant its consideration.

In the first place, it is commonly recognised that the passage Exod. XXIV, 3-8 offers a very difficult problem in its relationship to both of the older sources, E and J.

The employment of the name "Jahveh," especially in view of the occurrence of *Elohim* in the verses immediately following, is in itself almost conclusive against the assumption of E as the source, for it could only be explained as a redactional alteration, which, in these circumstances, becomes highly improbable. Again, the mention of the *massebah* (v. 4) is against the supposition of an E source. Finally, E makes provision for the "ten words" being written upon tables

of stone by God Himself (XXXI, 18),—what, then, from the point of view of this source are these “words” which are here said to have been written by Moses in “the book of the Covenant”?

On the other hand, the attempt which has been made to connect the passage with Exod. XXXIV, 27<sup>f</sup>., as having formed the original conclusion of J’s account of the Horeb revelation, cannot be regarded as successful. The supposition that J knew nothing about the tables of stone is improbable (see p. 51). And with reference to the suggested connection, in addition to other considerations that might be adduced, it is evident that the ideas underlying the two passages are different. Thus in XXXIV, 27, Jahveh says to Moses, “after the tenor of these words I have made a covenant with thee and with Israel.” But according to the above supposition, this statement, in order to agree with the standpoint of XXIV, 3-8, should have run, “after the tenor of these words thou shalt make a covenant with Israel,” or “between me and Israel,” for in the latter passage Moses appears as mediating the covenant between the two parties to it. If it be said in reply that there is no essential difference between the two conceptions, at all events it may be contended, with reference to the question of expression, which is here of importance, that a writer who had XXIV, 3-8 in view as the sequel to what he was writing would hardly have expressed himself in the terms of XXXIV, 27. Further, the word קָרָאִי in this verse, when taken along with v. 10, “Behold, I make a covenant,” can only be translated as a future in a very forced manner, for there is nothing in the context to indicate that this is the meaning.

But while on the one hand this passage, Exod.

XXIV, 3-8, is not readily assignable to either E or J, on the other hand, its contents and style forbid the supposition that it is a piece of redactional composition pure and simple. What source, then, has it been taken from, and what function was it intended to discharge by the redactor who placed it in its present position? What did he mean the expressions "all the words of Jahveh," "all the words which Jahveh hath spoken" (v. 3), "all these words" (v. 8), to refer to? In attempting to answer these questions we must first examine the preceding context, so far as possible, without preconception.

To begin with, it is clear that the code of "judgments" contained in XXI-XXIII was not intended by its original compiler to constitute the basis of a covenant. The word 'covenant' does not occur in it. The divine name 'Jahveh,' which is essential to the idea of a covenant between God and Israel, is not once employed. The covenant relationship is not alluded to: on the contrary, the main theme of this lawcode is the regulation of human relationships.

Again, while it is obvious that the redactor to whom we owe the clause "and all the judgments" in XXIV, 3 desired that vv. 3-8 should be regarded as including within its scope the ratification of the lawcode, on the other hand, it is apparent that vv. 3-8 did not originally cover such a reference, for apart from the aforesaid clause, the "judgments" are not mentioned, the expressions used being simply "all the words," "all these words."

But when we examine the immediately preceding context of XXIV, 3-8, we find in XXIII, 20-33 a passage consisting of "words" spoken by Jahveh to Moses, which is only separated from XXIV, 3-8 by the two

## 118 ORIGINAL FORM OF DEUTERONOMY

verses XXIV, 1, 2. These two verses, however, are plainly interpolated. They belong to XXIV, 9-12, constituting with the latter passage apparently an extract from an ancient version of the Horeb narrative not otherwise represented in the present context. That XXIV, 3-8 once followed immediately upon XXIII, 33 can hardly be doubted. It would appear, therefore, that whatever else the "words" of XXIV, 3-8 were meant to include, at least XXIII, 20-33 formed the closing part of it.

Now, this passage, XXIII, 20-33, though including elements taken from an older source, has incontestably been brought into its present form by a Deuteronomic writer. But that it was not intended by this writer to refer to the preceding "judgments" is apparent from the fact that it contains no allusion to them. Again, it is tolerably evident that this passage can hardly have commenced originally with XXIII, 20, "Behold, I send my angel before thy face," for the announcement here made seems to require some preceding matter to explain it.

In chap. XIX, however, we find a short section that exactly corresponds, both in its contents and in its Deuteronomic character with what one might imagine to have formed the commencement of the address of which XXIII, 20-33 gives us the continuation, viz., XIX, 3\*-6.

"And Jahveh called unto Moses out of the mount, saying, Thus shalt thou say to the house of Jacob, and announce to the children of Israel: Ye have seen what I did unto the Egyptians, and how I bare you on eagles' wings, and brought you unto myself. Now therefore, if ye will surely obey my voice, and observe my covenant, then ye shall be a peculiar treasure unto me above all nations: for all the earth is mine: and ye shall be unto me a kingdom of priests, and an holy nation. (XXIII, 20) Behold,

I send an angel before thy face, to keep thee by the way, and to bring thee unto the place which I have prepared. Take ye heed of him, and hearken unto his voice: rebel not against him, for he will not pardon your transgression, for my name is in him. But if thou shalt surely hearken unto his voice, and do all that I shall speak, etc."

The connection is quite natural. Cf. XIX, 5, "If ye shall surely hearken unto my voice," with the same phrase in XXIII, 22; also XIX, 4, "and I brought you unto myself," with XXIII, 20, "to bring thee unto the place which I have prepared"; and XIX, 5, "if ye shall keep my covenant," with XXIII, 20, "to keep thee by the way."

If we suppose, then, that XIX, 3\*-6; XXIII, 20-33; XXIV, 3-8 are the constituent portions of one and the same Deuteronomic addition to the Horeb narrative of Exodus, the question that next arises is, where did this passage stand, and in what relation to the context, when it was added by the Deuteronomic redactor?

To answer this question, we must first consider what context the redactor probably had before him when he inserted this addition.

The manner in which the present Decalogue, XX, 1-17 stands related, or rather wholly unrelated, to the matter surrounding it, makes the supposition *a priori* probable that it was not inserted until the whole of the latter was, at all events, in existence. Kuenen argued that XX, 18-21 must have stood originally before vv. 1-17. But while the suitability of the verses 18-21 as a prelude to vv. 1-17 is apparent, it is all the more difficult to discover any reason for their transference to their present position. The fact appears to be that we have in vv. 18-26



part of the original unbroken context of E, vv. 22-26 being the commencement of the E "ten words," the continuation of which, though now in a somewhat revised form, is contained in XXIII, 12-19. The above-mentioned character of XX, 18-21 is thus explained, seeing that these verses were actually written as the prelude of the earlier Decalogue. The redactor who inserted the later form, XX, 1-17, placed it in front of vv. 18-21, retaining the latter passage in its position in order to provide a separation between the new Decalogue and what had been the commencement of the older one.

At the time the above suggested Deuteronomic addition was made, then, we may suppose that the Deuteronomic redactor had before him the complete E Decalogue, surrounded by an appropriate context, which did not, however, as yet contain either the code of judgments, or XX, 1-17.

Now, the manner in which the "covenant" is introduced in XIX, 5, appears to involve a previous reference to it in connection with the same occasion.

Again, Exod. XXIV, 12, implies that at the end of the E Decalogue in its original position, there was an intimation on the part of God to Moses to the effect that He was going to write the "ten words" upon the stone tables.

We may suppose, then, that the Deuteronomic redactor placed his addition immediately after this intimation, expanding the latter so as to include the announcement of a covenant, which was to be made on the basis of "all these words," *i.e.* both of the ten words and of those other words which accompanied (in the Deuteronomic revision) their promulgation. No Deuteronomic redactor could possibly have meant

the writing by Moses in the Book of the Covenant to take the place of the writing by Jahveh on the tables of stone, for in his time the latter fact was accepted as thoroughly established. But looking at the matter from the standpoint of an age in which the "ten words" undoubtedly did exist in written form, and looking at it from the standpoint of the combined edition of Deuteronomy, in which the Horeb covenant was conceived as implicitly including the later covenant in Moab, and had in fact absorbed it, this redactor doubtless saw nothing incongruous in the idea of the ten words being written on the tables of stone by Jahveh, and yet at the same time being recorded, along with those other words that accompanied them, and that corresponded to the Deuteronomic teaching, in "the book of the covenant," by Moses. This supposition would account for the reference to "my covenant" in XIX, 5; it would also account for the future, *אֲדַבֵּר*, of XXIII, 22, as referring to the *Torah*, and the *Misvah*. Cf. XXIV, 12, and especially Deut. v, 28.

The subsequent history of these chapters may, on this theory, be conceived as follows: The next redaction was probably represented by the introduction of the code of judgments, XXI-XXIII, 11, which led to the splitting of the above Deuteronomic passage into two portions, XIX, 6b-8 being added as a link of connection with the following matter of XIX, and the phrase, "and all the judgments" being added in XXIV, 3, so as to include the code within the scope of the covenant. At a considerably later period the Decalogue of XX, 1-17 was inserted where we now find it. The retention of E's older form alongside of XX, 1-17 was naturally impracticable, but a portion

of it,—vv. 22-26, which deals with the worship of God without actually repeating what is said in xx, 2 ff.,—was allowed to remain as a kind of pendant to the new Decalogue, separated from the latter by the passage, vv. 18-21, which had originally been its own prelude, while the remainder of it found a place at the end of the code of judgments. The law concerning the seventh fallow year may possibly have been transferred at this time from the commencement of the code to its present position, in order to offer a point of contact with xxiii, 12. It must have followed in very natural sequence the latter portion of E's Decalogue, which has to do with the agricultural festivals, and it exhibits a certain similarity to xxi, 1.

The context of the Decalogue of J in Exod. xxxiv appears to have been subjected to a similar Deuteronomic revision, though in a somewhat different manner, and probably by a different hand. For there we find immediately after the announcement (v. 10), "Behold I make a covenant," a passage corresponding to Exod. xxiii, 20-33, in which the principal injunction of Deuteronomy with regard to the idolatrous nations of Canaan is prefixed to the "ten words," and then at the close of the combined passage Moses is commanded to "write these words," *i.e.* all that has been said from v. 11 onwards, while at the same time there is a statement, to which there can be no doubt that the Deuteronomic redactor intended "Jahveh" to be the subject,—“and he wrote upon the tables the words of the covenant, the ten words.” It will be observed that in vv. 27, 28, four verbs occur in succession to which "Moses" is the subject, as the text stands at present, and yet he is not mentioned by name after v. 27a, "And Jahveh said unto Moses."

If we omit v. 28a, however, "And he was there with Jahveh forty days and forty nights, etc.,"—which on other grounds is probably to be regarded as a later addition, then the text reads as follows: "And Jahveh said unto Moses, write thou these words, for according to the tenor of these words I have made a covenant with thee and with Israel. And he wrote upon the tables the words of the covenant, the ten words." Now, the phrase "write thou," כָּתַבְתָּ, shews a stylistic similarity to the expression "Take heed to thyself," v. 11), שָׁמַרְתָּ, that indicates them to be from the hand of the same writer. On the other hand, there is no decisive ground for holding that the announcement of v. 10, "Behold, I make a covenant," does not belong to the original J source. If it did, then we may suppose the J text of vv. 27, 28 to have been, "And Jahveh said unto Moses, After the tenor of these words I have made a covenant with thee and with Israel; and he wrote upon the tables the words of the covenant." The Deuteronomic redactor, having inserted "Write thou these words, for" at the commencement of the statement, intending this command to cover his own addition in vv. 11-16, may have added the phrase "the ten words" at the end of it, so as to distinguish the writing of Jahveh upon the tables as limited to "the ten words." In this Deuteronomic redaction, which v. 28a indicates to have been subjected to a later alteration that has probably obscured its meaning, "Jahveh" may have been repeated as the subject to "and he wrote" in v. 28b. To enter further into the discussion of this subject lies beyond the scope of our present inquiry. It is sufficient to have pointed out that in Exod. xxxiv we have a Deuteronomic addition directly

connected with the "ten words" that corresponds in purport to Exod. XXIII, 20-33: that this is associated with a "covenant"; as in XIX, 5; XXIV, 3-8; and that provision appears to have been made by the Deuteronomic redactor for a twofold writing of the "words" of this covenant, viz., the writing of "these words," inclusive of the Deuteronomic addition, by Moses, and the writing of "the ten words" by Jahveh upon tables of stone, corresponding with what we suggest as the explanation of XXIV, 3-8 taken in conjunction with XXIV, 12.

And now, to return to XXIV, 3-8, this passage, as has been indicated, can hardly on any theory be regarded as a redactional product pure and simple. The subject matter and style are incompatible with the supposition that it was composed by a secondary writer for this particular occasion. Verse 3 is apparently a redactional connecting link, but the passage vv. 4-8, "And Moses wrote these words, etc.," gives the impression of having formed part of an older source, to the contents of which it stood in a more germane relationship than to its present context. What, then, was that source? It does not seem an altogether improbable supposition that it was a Deuteronomic source. In view of the substantially Deuteronomic character of XIX, 3-6, XXIII, 20-33, it might be expected that this related section XXIV, 3-8 should shew some kind of dependence upon Deuteronomy. Again, there is nothing in these verses that militates against the supposition of a Deuteronomic source. The phrase, "rose up early in the morning" is common to both E and J, and in view of the admittedly close relationship existing between their vocabulary and that of the original Deuteronomic author, it would be unwarrant-

able to suppose that this writer might not have used it—he must certainly have been familiar with it. Again, the use of the divine name “Jahveh,” while against the derivation of this passage from E, is entirely in keeping with the terminology of Deuteronomy. But further, it is questionable whether the conception of the kind of covenant which this passage implies is much older than Deuteronomy. As Baentsch, following Kraetzschmar, very well puts it, “The idea that the relationship of Jahveh to his people rests upon a *Berith*, with mutually determined performances and assurances, is not old. This conception is not yet presupposed in the writings of the eighth century prophets. It first found its classical expression in Deuteronomy.”<sup>1</sup> Thus, if the character of the redactor of Exod. XXIV, 3-8 might lead us to look in the direction of Deuteronomy for the source of that passage, the underlying conception of the passage itself undeniably supports the probability of a Deuteronomic source.

But is there anything to shew that such a source was available? This leads us now to consider the passage in question from the standpoint of the foregoing analysis of Deuteronomy. If the original Deuteronomy was, as we suggest, the Book of the Covenant in Moab commencing with Deut. XXIX, 1-14, in which it is announced that Israel is about to enter into covenant with Jahveh, it is not unreasonable to suppose that it may have concluded with an epilogue in narrative form recording an actual ceremony of covenant-making. Again, in view of the consideration that the Book of the Covenant when first published must necessarily have been assumed to have been reduced to writing at the time its contents were delivered, it might naturally

<sup>1</sup> *Komm. Exod.* p. 216.

## 126 ORIGINAL FORM OF DEUTERONOMY

be expected to contain, or have appended to it, some statement to the effect that Moses wrote down what he had spoken. But no such statement applicable to its contents is found in our present Book of Deuteronomy, although, as we shall see, a corresponding statement (Deut. xxxi, 9 ff.) formed part of the epilogue of the subsequently published Lawcode. Now, it will be shewn that when the first combination of the Book of the Covenant and the Lawcode took place, the character of the former was altered by abandoning the idea of a Covenant in Moab, and consequently by the removal from it of the initial section, xxix, 1-14, in which that covenant had been announced. But if there was originally an epilogue of the character above indicated attached to the work, it must have suffered the same fate. From the nature of their contents, no suitable position could be found afterwards for these two sections within the Book of Deuteronomy, and we doubtless owe the restoration of xxix, 1-14, whose presence even now constitutes one of the greatest mysteries of the book, to the fact that it happened to be utilised during the Exile in connection with homiletical matter then produced. Here, then, it may be suggested, we have an explanation of the circumstances that rendered a portion of the original Deuteronomy available for use in connection with a Deuteronomic addition to the earlier history.

In corroboration of the above suggestion, it may be noted that it is only in the two redactional additions Exod. xix, 8 and xxiv, 3, that the expression **קל-ה'עם** is used, while in xxiv, 4-8 we find simply **ה'עם**. This accords with the usage of the Deuteronomic Book of the Covenant, in which the former phrase does not occur, even in places such as iv, 10,

"Assemble me the people," where we might have expected to find it, had the writer been in the habit of employing it. Again, the expression "all these words" (v. 8) is found in Deut. XXVIII, 14, which formed part of the concluding portion of that work, and on this theory stood originally within a short distance of the passage under consideration. The phrase is also found in Deut. XXXII, 45-47, which we take to have immediately followed Exod. XXIV, 4-8 as the conclusion of the epilogue, while the expression "these words" occurs at several points throughout the Book of the Covenant, the original title of which runs "These are the words of the covenant" (XXVIII, 69). The utterance of the people in Exod. XXIV, 7, **וַיִּשְׁמְעוּ וַיִּשְׁמְעוּ**, exhibits a coincidence with the phraseology of the *Misvah*, re-echoing and responding to its impressive opening injunction, VI, 3, **וַיִּשְׁמְעוּ וַיִּשְׁמְעוּ וַיִּשְׁמְעוּ**. In addition, we may call attention to the fact that the remarkable absolute use of **וַיִּשְׁמְעוּ** at the end of v. 7 to give a comprehensive emphasis to the declaration, finds an exact parallel in the way **וְלֹא תִכְחֲדוּ** occurs at the end of Deut. XXVI, 13. The phrase "the covenant which Jahveh has made with you" is the same as that found in Deut. XXIX, 11; IV, 23; V, 2, in all of which **כָּרַת** is followed by **עִם**.

That the expression **וַיִּשְׁמְעוּ וַיִּשְׁמְעוּ** might not have been used in certain circumstances by the original Deuteronomic writer, is a pure assumption. The fact that it was not used by him in addressing the nation, or in such a statement as "Moses called unto all Israel and said unto them," is obviously no ground for concluding that he might not have employed it in purely narrative matter, or in writing a title for his work. In the passage before us, "And he sent young men of the children of Israel" (v. 5), it is difficult to see what



## 128 ORIGINAL FORM OF DEUTERONOMY

other phrase would have been appropriate. Again, in writing a title, an author necessarily places himself at a point of view exterior to his composition, and may therefore quite naturally use an expression different from any actually found in the body of the work. In the case of the Deuteronomic titles, indeed, the contention that the occurrence of this phrase, "the children of Israel" proves lateness, proves altogether too much. For in that case, how is the existence of so many different titles to be accounted for? Their presence in the book where we now find them can only be explained on the supposition that they date from relatively early periods, and there does not appear to be anything unreasonable in assuming that they date from about the time when the subject matter to which they are respectively attached originated.

It does not appear that this passage, *Exod.* xxiv, 4-8, has been altered from its original form, except by some slight changes necessary to adapt it to its new position. Thus in v. 4 we may suppose that the words "under the mount" were added, and that the phrase "all the words of Jahveh" was originally "all these words." In v. 7b the original reading may perhaps have been "all that thou hast spoken," though the phrase "all that Jahveh hath spoken" is quite in keeping with the idea that Moses had been merely announcing Jahveh's own covenant conditions. It is not necessary to suppose that v. 8 originally came immediately after v. 6, for as the sprinkling of the blood upon the altar represents Jahveh's pledge to the covenant, while the reading of the book is the expression of the conditions attaching to it for the people according to His commands, it seems only proper that these conditions should be read, and the people's assent given, before

the symbolic rite ratifying their acceptance of them should be performed. The fitting moment for this, too, was after and not before the sprinkling of the altar, for Jahveh's willingness and loyalty were indubitable, and the very origin of the covenant lay in His spontaneous act of choosing Israel, whereas the decision of the people had to be ascertained by their assent to His commands. Again, it has been objected that v. 8a, "And Moses took the blood, etc.," appears to be without a sufficiently definite relation to v. 6, and should have read, "half" or "the other half" of the blood. It may well be doubted, however, whether this is not hyper-criticism, for seeing that according to v. 6 the one half has already been explicitly disposed of, it is surely exacting too much of the author to demand that he should of necessity define the remainder as "the other half."

The similarity of the narrative here in respect to the altar and the *masseboth* (the singular is probably a textual error) to the instructions given in what we assume to have been the original kernel of Deut. XXVII, 1-8, hardly needs to be pointed out. The mention of the tribes, too, is in harmony with XXIX, 8, if we accept the text there as it stands, or read "heads of your tribes." We shall see later that XXVII, 11-13, in which the tribes are still more definitely referred to, probably formed part of the epilogue of the Lawcode, and in that case doubtless followed the precedent of the passage before us.

#### § 10. Deut. XXXII, 45-47.

This short section we take to have been the concluding portion of the above epilogue. Its points of contact with XXXI, 24-29, which have sometimes led to

its being regarded as the immediately following context of that passage, are sufficiently explained by the fact that the writer of XXXI, 24-29 already had it before him. There are conclusive reasons against the supposition referred to. In the first place, coming after XXXI, 24-29, this passage would be of the nature of an anti-climax, the two points of view, indeed, being opposed to each other (cf. v. 47 with XXXI, 29). Again, v. 45 begins, "And Moses made an end of speaking all these words to all Israel," whereas in XXXI, 25, he addresses the Levites, and even when he commands an assemblage to be gathered to hear a final address (which it is not said was actually delivered), it is only "all the elders of your tribes and your captains" who are to be assembled.

Other points to the same effect are included in the following detailed examination :

**v. 45 :** "And Moses made an end"; on our theory this expression suggested that of XXXI, 24, when XXXI, 24-29 came to be written as the final passage of a later edition of Deuteronomy (see § 16 (3)).

**v. 45 :** "all these words"; also XXVIII, 14; Exod. XXIV, 8, etc.

**v. 45 :** "all Israel": as in XXIX, 1. It will be observed that the sentence, "And Moses made an end of speaking all these words to all Israel, and he said unto them," is quite in accordance with the opening sentence of the Book of the Covenant, "And Moses called unto all Israel, and he said unto them"—the last five words אֶל-כָּל-יִשְׂרָאֵל וַיֹּאמֶר אֲלֵיהֶם being identical. It is also in accordance with the fact that in Exod. XXIV, 4-8, Moses addresses the people as a whole, and not merely the "Levites," or the "elders and captains" (XXXI, 24-29).

v. 46: "Set your heart to all the words." In its use of the word "heart," this phrase is characteristic for the author of the original Deuteronomy. It may be compared with VI, 6, "And these words shall be upon thine heart," and especially with XI, 18, "ye shall set (שִׁמְתֶּם) these my words upon your heart."

v. 46: "which I am testifying against you this day." The expression is identical with that used at XXX, 19; VIII, 19; IV, 26, and must be regarded as a significant link of connection between these four passages, seeing that it does not occur elsewhere in Deuteronomy except at XXXI, 28.

v. 46: "which ye shall command your children to observe to do." That this is the sense according to the intention of the original author, and that the phrase "all the words of this torah" is a later addition, may be inferred from the presence of the suffix in תַּצִּיחַם, which indicates that the sentence originally ended with לַעֲשׂוֹת. The writer who inserted "all the words of this torah" no doubt meant the clause "to observe to do all the words, etc.," to stand in apposition to the suffix, but it is difficult to imagine the original author writing the passage in this way. For the phrase "to observe to do," cf. VI, 4. This allusion to the necessity for teaching the children is characteristic of the Book of the Covenant: cf. IV, 10, etc.

v. 47: "For it is not too light a matter for you." The turn of thought and expression here at once recalls that of XXX, 11, 14, "For this Commandment . . . is not too difficult for thee . . . but the matter is very nigh unto thee."

v. 47: "for it is your life." This phrase offers perhaps the most remarkable point of connection of the whole passage with the *Mishvah*, for it is found in the

## 132 ORIGINAL FORM OF DEUTERONOMY

last verse of the latter, XXX, 20, but not elsewhere in the Old Testament, except at Prov. IV, 13.

v. 47: "for by this thing ye shall prolong your days, etc." This whole sentence is almost literally the positive form of XXX, 18b.

### § 11. Summary.

According to the above analysis, then, the Original Deuteronomy, the Book of the Covenant in Moab, consisted of the following passages, viz., Deut. XXVIII, 69—XXIX, 14; V, 2; IV, 10-16a, 19-26; V, 29—VIII, 18; XXVI; VIII, 19—IX, 6; X, 12-21; XXVII, 1b, 3b-4a, 5-7; XI, 8-28; XXVIII, 1a, 2a, 7-14, 15, 20-25a, 43-45; XXX, 11-20; Exod. XXIV, 4-8; Deut. XXXII, 45-47. In this summary we do not take account of minor deductions to be made from the text (including the "statutes and judgments" additions), but for these we may refer to the discussions of the various passages, and also to the Appendix, where the above sections will be found printed *in extenso*, in what appears to have been their original condition and connection. It may be added that the reading of them thus consecutively adds in many places a cumulative force to the argument that no detailed criticism can fully supply.

Before proceeding to consider how the remaining contents of the book of Deuteronomy may be supposed to have originated, we shall endeavour to ascertain whether the above theory receives any corroboration from the contents of XII-XXV.

### § 12. Deut. XII-XXV.

After the laborious investigations of Kuenen and others into the terminology of the two main sections

of Deuteronomy, v-XI, XII-XXVI, it may be held to be proved that the connection between them is a very close one in this respect, inferring them to have been the work, if not of the same writer, at all events of the same group of writers, who moved within a well defined and highly characteristic circle of ideas and linguistic expression. Consequently, not much can be made of a comparison either way from a purely linguistic point of view. The main argument here must be from the ideas and subject matter of the two sections at points where they approach one another. As a sequel to the foregoing inquiry, it will concern itself chiefly with two questions: (1) Is there anything in XII-XXV to suggest that at the time of its composition VI-XI already existed as part of a separate work? (2) If so, is there anything to indicate whether or not chapter v preceded chapter VI then as at present?

(1) In the first place, we have the fact already referred to in our introductory remarks, that the conception of one central sanctuary of exclusive legality does not appear in VI-XI, whereas it figures as the most prominent feature of XII ff. In the latter section the expression "the place which Jahveh shall choose" occurs 19 times: in VI-XI it never occurs at all, nor is there anything that can possibly be construed into an equivalent of it. In VI-XI the verb בָּחַר is only used in connection with Jahveh's choosing of Israel to be His own people, and the phrase "unto this place" only with reference to the land of Moab or Canaan. The edict of destruction (VII, 2 ff., 24, 25) is directed merely against the tolerance of heathen worship: it enjoins the destruction of the heathen inhabitants of Canaan, their altars, their images, etc. The law of XII ff. is a distinct advance upon this position, and

the author is evidently well aware of the distinction, for he begins at once with, "Thou shalt surely destroy all the *places* wherein the nations which ye shall possess worshipped their gods."

Valeton, in criticising Wellhausen's view that "Deut. XII is a polemic against the condition of things sanctioned by Exod. XX, 24," says,—“The first concern of the writer (of XII ff.) is for the destruction of all idolatrous sanctuaries. . . . This first paragraph, vv. 2-7, does not commence, ‘There shall henceforth be only one place of worship, viz., that which Jahveh shall choose: all other places of worship must be destroyed,’ but, ‘Thou shalt destroy all the places wherein the peoples that ye shall possess worshipped their gods, etc.’ That is the principal thing. In contrast to this there then follows,—‘So shalt thou not do to Jahveh thy God, but unto the place which Jahveh your God shall choose, etc.’ . . . Who does not feel by the simple reading of this passage in its connection that the principal thing for the writer is not *where*, but *that* Jahveh shall be worshipped.”<sup>1</sup> But the reply to this is obvious. These two commands are simply the negative and the positive side respectively of the same enactment. That the negative side should come first is not only perfectly natural, seeing that the law now given involves the abolition of a hitherto prevailing practice, but is perceived to be all the more appropriate on the assumption that the Lawcode was published subsequently to the Book of the Covenant, which contained nothing whatever in the form of a positive injunction concerning “the place which Jahveh shall choose.” The Book of the Covenant, however, had contained very definite com-

<sup>1</sup> *Studiën*, v, 2, pp. 177 f.

mands in the direction of the destruction of the apparatus of heathen worship. These the author of XII ff. naturally begins by embodying in this new law, but adding to them the distinctive element of "the places." The fact that he begins by mentioning "the places" shews, we think, clearly enough that he had in view even from the outset the question of "where" Jahveh should be worshipped, seeing that according to the prevailing syncretism those places were the very places where the worship of Jahveh was locally carried on.

The prominence given to "the places" of heathen worship, taken along with the emphasis subsequently laid upon "the place" where Jahveh ought to be worshipped, exhibits the difference between the standpoint of this section and the previous one. The expression "the place which Jahveh shall choose" is found also at XXXI, 11, and Josh. IX. 27. Why, then, is it not found in VI-XI, if that section was composed in conjunction with, or subsequently to XII ff.? Even if it be argued that this omission was intentional, and that VI-XI was only intended to lead up to the law ordained in chap. XII, it seems an extraordinary thing that there should not be in the former section some indication, some trace or suggestion of the fact that the writer had it in his mind. But there is absolutely nothing of the sort. On the other hand, if we suppose that VI-XI was part of a work that already existed before the promulgation of this law, the mystery is solved. It is quite intelligible that the redactor who at a later period united the two sections and revised VI-XI with this object in view, should have limited himself to removing from the latter such elements as appeared to be distinctly



## 136 ORIGINAL FORM OF DEUTERONOMY

incongruous with the prescriptions of the Lawcode, without deeming it necessary to introduce anything positively anticipating the law of the central sanctuary. That his moderation in this matter, at all events, has been entirely justified by results, is evident from the extent to which the discrepancy in question between the keynotes of the two sections has escaped observation. Thus Dillmann says, "But in the language and ideas, also, of Sect. I's copious oratorical amplifications, no deviation from Sect. II shews itself, but rather *the fullest* agreement."<sup>1</sup>

Again, the circumstance has attracted attention that the hortatory element is largely present in the lawcode itself, particularly in the opening chapters, but is found in a decreasing degree as the work proceeds, until in XXI, 10—XXV, 19 it almost disappears. Now, on the theory that the author first composed the lawcode, and then wrote VI-XI as a prelude to it, the difficulty of accounting for the above phenomenon will at once be apparent. For if XII-XXV was composed first, containing as it does so much of the hortatory element just especially at its commencement, why should the author have deemed it necessary to prefix so elaborate a hortatory prelude to it in addition? Or, if he composed VI-XI first, and thus began by doing such ample justice to the hortatory element, why did he think it necessary to mingle the latter with the laws? Or, again, having begun the lawcode in this style, why did he not continue it throughout? It is not surprising that Kuenen felt compelled to make so much of the presence of chap. XXVI at the end of the code (see above, p. 79), but indeed this circumstance, instead of

<sup>1</sup> *Com.*, p. 263.

diminishing the difficulty, adds a new one, owing to the sudden and palpable difference in style between this chapter and what has preceded it. Dillmann's theory that chaps. V-XXVI were composed together in the order in which they stand somewhat relieves the situation. But again, on this assumption it is not easy to understand why the author should have so entirely abandoned the hortatory style towards the end of his work. The facts of the case here seem to square better with the supposition that the author of XII-XXV had VI-XI already before him as part of a previous publication, and that, influenced to some extent by this model, he began the composition of the lawcode in a similar strain, but that gradually the difference of the subject matter led him to abandon it, particularly in the case of later additions: in short that this hortatory element in VI-XI is original, and of the essence of the composition, whereas in XII ff. it is merely imitative, and introduced as an unconscious effort to harmonise the form of the Law-book with that of the older Book of the Covenant. Hence the writer of the former is not governed by any enduring impulse to carry it systematically throughout his composition.

But further, there are certain passages in XII ff. which appear to prove that when this section was composed, VI-XI already existed as part of an independent work.

As has been mentioned, the word **מִצְוָה** occurs five times in XII-XXV, viz., **וּמִצְוָה** in XV, 5; XVII, 20; XIX, 9; and **מִצְוֹתַי** in XIII, 5, 19. We shall examine these passages briefly in succession.

**XIII, 5** forms part of a passage, vv. 3b-5, which according to all critical analogy must be held to

## 138 ORIGINAL FORM OF DEUTERONOMY

establish the dependence of the composition in which it occurs upon VI-XI,—and there does not appear to be any ground for considering it an interpolation. Observe how prominent and widely separated expressions of VI-XI are here gathered together, quite in the manner of a secondary writer.

XIII, 3b: For Jahveh your God proveth you to know whether ye love Jahveh your God with all your heart and with all your soul.

VIII, 2: that he might humble thee to prove thee, to know what was in thine heart. Cf. also VIII, 16.

VI, 5: and thou shalt love Jahveh thy God with all thy heart and with all thy soul. Cf. X, 12; XI, 13.

The phrase "with all thy heart and with all thy soul" does not occur elsewhere in XII-XXV.

XIII, 5: Ye shall walk after Jahveh your God, and fear him and keep his Commandment, and hearken to his voice, and ye shall serve him and cleave unto him.

VI, 13: Jahveh thy God shalt thou fear and him shalt thou serve . . . v. 14: Ye shall not walk after other gods.

VIII, 6: And thou shalt keep the Commandment of Jahveh thy God, to walk in his ways and to fear him.

X, 20: Jahveh thy God shalt thou fear, and him shalt thou serve, and to him shalt thou cleave. Cf. XI, 22; X, 12.

VIII, 20: . . . because ye hearkened not unto the voice of Jahveh your God. Cf. XXX, 20.

XIII, 6: Who brought you out of the land of Egypt, and redeemed you from the house of bondage.

VII, 8: Jahveh brought you out . . . and redeemed you out of the house of bondage.

- |                                                                                                                                                                                                   |                                                                                                                                                                                                                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| XIII, 11 : Who brought thee out<br>of the land of Egypt, out of<br>the house of bondage.<br>XIII, 6 : . . . to draw thee aside<br>from the way in which Jahveh<br>hath commanded thee to<br>walk. | VIII, 14 : Who brought thee out<br>of the land of Egypt, out of<br>the house of bondage.<br>XI, 28 : And if ye depart from<br>the way in which I am com-<br>manding you this day, to<br>walk after other gods. |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Cf. also the phrase **לֹא תִסְרֶיךָ** in XIII, 6 with the phrase **לֹא תִסְרֶיךָ** of V, 29.

The relationship between these two sets of passages is (1) certainly contrary to the supposition that VI-XI was composed subsequently to XIII, and (2) much more in keeping with the hypothesis that the author of XIII knew VI-XI as part of an already existing work, than with the theory that he had just written VI-XI as an introduction to XII ff.

**XV, 5:** The passage (vv. 4-6) in which this reference to the *Misvah* occurs, is of the nature of a reflective aside with regard to the question which the law of the release year brings to the front, viz. the existence of poverty after Israel is settled in the promised land. It exhibits a very evident dependence upon XXVIII, 1, 12b, 13a, but need not be considered here, for that it is a later gloss which has crept into the text hardly admits of a doubt. Oettli, indeed, seeks to reconcile it with the surrounding context by taking v. 7 in the sense, "If there should, exceptionally, be a poor man, etc." But unfortunately for this interpretation, there is no "exceptionally" in the text. Besides, v. 4a is contradicted point blank by v. 11, "for the poor shall never cease from the midst of the land," and is out of keeping with the teaching of both the main sections of Deuteronomy, one important element in which would

be rendered entirely nugatory by the assumption that there were to be no poor. This gloss probably originated towards the close of the Exile, when the hope of a new and more glorious future for Israel which was awakened by the prospect of the Return found varied expression in ideal pictures of a coming "golden age."

**XVII, 19b, 20:** "In order that he may learn to fear Jahveh his God, to keep all the words of this *Torah*, and these statutes to do them . . . and lest he turn aside from the *Mišvah* to the right hand or to the left, that he may prolong his days in his kingdom, he and his sons in the midst of Israel."

Here, it will be observed, the author mentions "the *Mišvah*" separately, in addition to "this *Torah*," quite as if he were referring to a separate work. Again, in thus specifying the *Mišvah*, he uses in connection with it some of the most characteristic phrases employed in the passage that forms its introduction. Cf. v, 29, 30, "Ye shall not turn aside to the right hand or to the left, in order that . . . ye may prolong your days"; VI, 2, . . . thou and thy son, and thy son's son . . . and in order that thy days may be prolonged."

That this passage is a later addition to the law-code there are absolutely no grounds for supposing. On the contrary, in view of the whole circumstances in which the reform under Josiah was carried out, there is every reason to believe that, for the framers of the lawcode, it would constitute one of the most obviously necessary elements of the new legislation.

**XIX, 8, 9:** "And if Jahveh thy God enlarge thy border as he hath sworn unto thy fathers, and give thee all the land which he promised to give unto

thy fathers,—‘if thou shalt keep all this Commandment to do it, which I command you this day, to love Jahveh thy God and to walk ever in his ways,’—then thou shalt add unto thee three cities more.” Cf. XI, 22 ff.: “For if ye shall surely keep all this Commandment which I command you, to do it, to love Jahveh your God, to walk in all his ways, and to cleave unto him, then will Jahveh drive out all these nations from before you. . . . Every place whereon the sole of your foot shall tread shall be yours, from the wilderness and Lebanon . . . even unto the hinder sea shall be your border.”

The passage XIX, 9, commencing with כִּי seems to be intended by the writer as an actual quotation from XI, 22. The whole tenor of these two verses, XIX, 8, 9, is out of keeping with the idea that the writer is referring to his own preface, and wholly irreconcilable with any theory that would make XI, 22 ff. subsequent in date of composition to XIX. Some critics, indeed, consider these verses a late addition, but there does not appear to be any ground for this, apart from the assumption of the lawcode's priority to VI-XI.

It is a fact, then, that wherever the word מִצְוָה occurs in XII-XXV, it is directly associated with some of the outstanding ideas and expressions of VI-XI, and is for the most part mentioned in such a way as to indicate that the writer is referring, not to another portion of his own composition, but to a separate work already in existence. In this connection it may be noted that the verb צִוָּה in any of its parts, as used to express the divine commands, appears in a diminishing ratio in XII-XXV. The total number of its occurrences are as follows:

## 142 ORIGINAL FORM OF DEUTERONOMY

XII, 11, 14, 21, 28; XIII, 1, 6, 19; XV, 5, 11, 15; XVII, 3; XVIII, 18, 20; XIX, 7, 9; XXIV, 8, 18, 22. It will be observed that apart from the passages considered above, which are so plainly reminiscent of VI-XI, it chiefly occurs in chap. XII, in which the general style of the *Mišvah* so largely prevails.

(2) We have now to consider whether XII-XXV affords any indications as to what preceded chap. VI at the time the former section was composed.

That the Decalogue did not do so is surely sufficiently evident from the fact that there is no allusion to it in XII-XXV. This is not an ordinary case of the *argumentum ex silentio*, for we have to keep in mind that XII-XXV is ostensibly a lawcode, dealing with the same sort of subject matter as the Decalogue itself. It seems altogether inconceivable, then, that the Decalogue should have stood where it does now at the time XII-XXV was composed, and yet that there should be no indication of an acquaintance with it, or allusion to its authority, in the latter section, more especially in view of the above evidence of acquaintance with the contents of V, 29—XI. See further on this point pp. 7, 8, and §15 (1).

On the other hand, there is at least one passage in XII-XXV that appears to shew that at the time this section was composed, IV, 10 ff. stood in the place now occupied by the Decalogue. We refer to

**XVII, 2, 3:** "If there be found in the midst of thee, within any of thy gates which Jahveh thy God giveth thee, a man or a woman who doeth that which is evil in the sight of Jahveh thy God in transgressing his covenant, and hath gone and served other gods and worshipped them, or the sun or the

moon or any of the host of heaven, which I have not commanded, etc."

This is the only place in the lawcode where the "covenant" is expressly mentioned, and the whole mode of reference corresponds exactly with the way in which it is dealt with in IV, 10-26. It will be observed that the contrast between the worship of an idol and the worship of the heavenly bodies is the same in both passages. Cf. IV, 19,—“And lest thou lift up thine eyes to heaven, and when thou seest the sun and the moon and the stars, even all the host of heaven, that thou be drawn away, and worship and serve them.” In addition to the coincidences of expression, “worship and serve,” “sun, moon, and all the host of heaven,” it is to be noted that the phrase “do that which is evil in the sight of Jahveh thy God” also occurs at IV, 25,—elsewhere in Deuteronomy only at IX, 18; XXXI, 29.

Again, in IV, 19 we find the *nif'al* of נִדָּן used in the sense of “to be seduced,” *i.e.* into idolatry, and in XIII, 6, 11, 14 the *hif'il* of the verb is used in the sense of “to seduce” (into idolatry). Apart from XXX, 17, these are the only passages where נִדָּן is used in this connection in the Hexateuch, and, with the exception of 2 Kgs. XVII, 21; 2 Chron. XXI, 11, in the Old Testament.

In XVIII, 15 ff. we have a passage which at first sight appears to be dependent upon V, 19-28, but which on further examination is found to contain elements, and to have a continuation that do not exist in chap. V at all,—“Jahveh thy God will raise up unto thee a prophet from the midst of thee, of thy brethren, like unto me: unto him shall ye hearken according to all that thou desiredst of Jahveh



thy God in Horeb in the day of the assembly, saying, Let me not hear again the voice of Jahveh my God, neither let me see this great fire any more, that I die not. And Jahveh said unto me, They have well said that which they have spoken. I will raise them up a prophet from among their brethren, like unto thee: and I will put my words in his mouth, and he shall speak unto them all that I shall command him, and it shall be that the man who shall not hearken unto my words which he shall speak in my name, I will require it of him. But the prophet which shall speak a word presumptuously in my name which I have not commanded him to speak, or which shall speak in the name of other gods, that same prophet shall die."

Now, in chap. v, it is only Moses personally who acts as mediator between Jahveh and the people, and he does so only for the specific purpose of imparting to them the revelation of the Law. The above passage, on the other hand, represents this office of mediator as a permanent one, not limited to Moses personally, or to the Horeb revelation. Indeed this transference of the function in question to a successor of Moses is here evidently the chief point, not only in Jahveh's reply, but also in the previous request of the people to him (cf. v. 16, "according to all thou desiredst"). Dillmann says, "These words of God (XVIII, 18-20) were not actually so spoken at Horeb, but represent in the form of a divine utterance the significance of that state of things which began then with the prophetic mediatorship of Moses."<sup>1</sup> Driver says,—"The answer in v, 28 is worded differently, the commission being

<sup>1</sup> *Com. in loc.*

limited to Moses himself; the two declarations are not, however, contradictory, but mutually supplement each other; there, it is Moses who is to speak on God's behalf; here, it is Moses' representative in the future."<sup>1</sup> But in view of the definite historical form of the statements in this passage, these explanations cannot be accepted as adequate. They merely explain the relationship of the ideas involved, and do that excellently; but they fail to explain the relationship of the narratives and of the documents containing them. It is impossible to suppose that the writer of XVIII, 18-20, having V, 19-28 before him as we now have it, intended this passage to be a reproduction of its contents. Again, there is nothing to warrant us in assuming that he is only giving us his own deductions from the facts stated in that chapter; on the contrary, it seems clear that he is referring to some narrative in which the statements he makes are substantially contained. It is also impossible to suppose that the writer of chap. V was drawing from a narrative in which the statements of this passage were included, for, in that case, why does he not make the slightest reference to this question of the prophetic successorship, which the writer of XVIII, 18-20 considers to be its leading feature? The natural, and, we think, inevitable conclusion to be drawn from a comparison of the two passages is that the writer of XVIII, 18-20 had before his mind a narrative of the transactions at Horeb, which, while exhibiting a certain amount of coincidence with V, 19 ff., had as its main feature a treatment of the prophetic successorship in the manner above exhibited. Possibly this narrative was the relative portion of the

<sup>1</sup> *Com. in loc.*

## 146 ORIGINAL FORM OF DEUTERONOMY

historical discourse (I-III) as it existed in its original form.

But in that case is it at all probable that if the narrative of v, 19-28 had been before the writer of XVIII, 18-20 where we now find it, he would have written this passage as it is now, without any attempt to harmonise it with the former, or to explain it as "supplementary" to it? The same consideration applies to the supposed case of chap. v having been written as part of a specific "introduction" to XII-XXV.

It thus appears, so far as the internal evidence of XII-XXV goes, (1) that the writer was acquainted with VI-XI and IV, 10-26, (2) that he refers to them as if they formed part of a separate, previously existing work, (3) that at the time he wrote, neither the Decalogue of chap. v, nor its context v, 19-28 constituted part of this work.

Having thus defined what appears to us to have been the original form of Deuteronomy, the immediate purpose of this inquiry has been fulfilled. It remains to be considered, however, to what extent a reasonable account can be given of the subsequent growth of the book on the theory here set forth. As this part of the subject is of a supplementary character, we shall treat it much more briefly, giving only the conclusions reached, with a general indication of the grounds on which they rest.

## II.

### THE SUBSEQUENT GROWTH OF THE BOOK OF DEUTERONOMY.

#### § 13. **The Lawcode.**

IT has already been argued that VI-XI was not written as an introduction to XII-XXV. That the latter section, however, was never published without some kind of explanatory environment, may be regarded as certain, on grounds which Kuenen has emphasised in another connection (see p. 4). Now, when we examine the material surrounding the central portions of the Book of Deuteronomy, we find passages that appear to receive their true explanation only when brought into connection with the Lawcode, or *Torah*, as a separate publication. The prelude to this first edition of XII-XXV we take to have consisted of XXVII, 9, 10 (in original form); IV, 1-4; XI, 31—XII, 1; and the epilogue of IV, 5-8; XXVII, 11-14; XXVIII, 2b-6, 15\*, 16-19; XXVII, 26; XXXI, 9-13; while IV, 44, 45c, 46a formed the title. These passages will be found printed consecutively in the Appendix.

In IV, 1 ff. we find the announcement of laws that are immediately to follow. The expression used in this announcement, "statutes and judgments," without the

term "Commandment" in conjunction with it, is precisely that which is found at XII, 1, and constitutes, as we have seen, a specific synonym for the *Torah*, or Lawcode (see pp. 52-57). This phrase "statutes and judgments" occurs also in vv. 5, 8, and "statutes" in v. 6. The reference to "the *Misvah*" in v. 2, as we shall see, is to be explained by the consideration that the writer takes account in this way of its existence as the substance of the previously published Book of the Covenant. Again, the alternative expression used here (v. 8) for "statutes and judgments," viz., "all this *Torah*," coincides exactly with that employed in XVII, 18, 19, whereas the word "*Torah*" is not found in the Book of the Covenant at all. There is also a significant point of connection between the language of XI, 32,— "And ye shall observe to do all the statutes and judgments which I set before you this day,"—which we take to have constituted part of the prelude, and that of IV, 8,— "And what great nation is there that hath statutes and judgments so righteous as all this *Torah* which I set before you this day,"—which on this theory formed part of the epilogue of the Lawcode, the last five words in the Hebrew of both verses being identical. The expression נָתַתִּי לְפָנֶיכֶם, with the verb in the participle, does not occur elsewhere in the Book of Deuteronomy, and the verb נָתַן followed by לְפָנַי is not elsewhere used in it in connection with the giving of the law. Note also the similarity of the phrasing in IV, 4, וְאַתֶּם הִדְבַּקְתֶּם to that of XI, 31, כִּי אַתֶּם עֹבְרִים.

Further, while IV, 1-8 does not exhibit any traces of exilic origin, or of dependence upon the historical discourse, I-III, it affords indubitable evidence of a knowledge of the Book of the Covenant in such phrases as "that ye may live," "come and possess the land," "your

eyes have seen," "cleave unto Jahveh," "take heed to thyself," "lest thou forget," etc., while the admonition (v. 2) not to add to or diminish from what is being commanded forms a distinctive link of connection with XII-XXV, being found also at XIII, 1<sup>1</sup>. Again, the perfect לְמַדְתִּי in v. 5, which has troubled commentators not a little, is at once explained if the passage in which it stands originally formed part of the epilogue of the Lawcode.

It is difficult to suppose, however, that the prelude could have originally commenced as at present with the phrase וְעַתָּה. No doubt this expression might be explained as an addition by the redactor to connect IV, 1 with chap. III, though the kind of connection so accomplished could hardly be regarded as adequate. But there is another possibility. In XXVII, 9, 10 we have two verses which have all the appearance of having once formed a solemn and impressive introduction to some teaching of unusual importance, but which in their present position have no intelligible significance except as a link of connection between XXVI, 17-19 and XXVIII, 1. That they were intended to serve this purpose in their present form by the redactor who placed them where they now are, is very probable; but that this was their original function may well be doubted. For, coming as they do, *after* XXVI, 17-19, they really constitute a pleonasm, and in that respect their contents do not justify the impressive commencement, "And Moses and the priests the Levites spake unto all Israel, saying, Keep silence and hearken, Israel, etc." One would have expected to find such a command not after but *before* XXVI, 17-19; to which position, accordingly, some critical

<sup>1</sup> In the English Version, XII, 32.

writers have proposed its removal. Again, neither in XXVII, 9 f. itself, nor in XXVI, 17-19, is there any explanation of the statement, "this day thou art become a people unto Jahveh thy God." It may be suggested that these verses, XXVII, 9, 10, in a slightly shorter form,—viz., without the expressions "and the priests, the Levites" (note the sing. *וְיִדְבָּר*), "and his statutes," originally formed the commencement of the prelude to the Lawcode. It will be seen at once how, on the theory here advanced, they exactly fit into this position. The Lawcode, or *Torah*, it has been argued—published at first as a separate work—took account of the previous existence of the Book of the Covenant. In that case, it doubtless made its first public appearance as a recognised sequel to the latter. Let us suppose, then, that the Book of the Covenant, which closed with an account of the covenant-making, has been read (probably in a somewhat revised form), and then let us read as follows :

XXVII, 9, 10: "And Moses spake unto all Israel saying, Keep silence and hearken, O Israel : this day thou art become a people unto Jahveh thy God. Thou shalt therefore obey the voice of Jahveh thy God, and do his Commandment, which I command thee this day."

IV, 1-4 : "And now, Israel, hearken unto the statutes and unto the judgments which I teach you, for to do them ; that ye may live, and come and possess the land which Jahveh the God of your fathers giveth you, etc."

Here we have an altogether adequate explanation (1) of the solemn injunction to "keep silence and hearken," which Moses addresses, as he had done the announcement of the covenant (XXIX, 1) to "all Israel" : (2) of the statement "this day thou

art become a people unto Jahveh thy God," as referring to the previous Book of the Covenant, which had closed with an account of the making of the covenant, (3) of the phrase הַיּוֹם as marking the transition from that work to the Lawcode.

Note also the correspondence of the mode of address, "O Israel," in XXVII, 9 and IV, 1. Again, the phrase "this day" does not occur in IV, 1-4 until we reach v. 4, whereas according to Deuteronomic analogy we should have expected to find it in v. 1, after the words "which I teach you." Its absence, however, is quite accounted for on the supposition that XXVII, 9, 10 stood immediately before IV, 1, for the phrase occurs in both these verses, and as v. 10 closes with it, the writer naturally would not repeat it after "teach you."

No title stands at present before IV, 1 ff.,—a somewhat surprising circumstance, in view of the multiplicity of titles throughout the book. But it is not far off, and is found, if we are not mistaken, in IV, 44, 45c, 46a,—“And this is the *Torah* which Moses put before the children of Israel when they had gone forth from Egypt, on the other side of Jordan, in the valley over against Beth-Peor.” How this title came to occupy its present position we shall see later: meanwhile we may note its correspondence (1) in the designation “*Torah*” with IV, 1-8, XII-XXV, XXXI, 9-13; and (2) in the locality mentioned, “over against Beth-Peor” with the reference to Baal-Peor in IV, 3.

Now let us assume that IV, 1-4 formed part of the prelude to the *Torah*, XII-XXV, which recognised the Book of the Covenant as its predecessor, and a further point of connection emerges. The latter work has



as one of its last and most distinctive utterances the exhortation (XXX, 20) to "cleave to Jahveh." It is surely more than a mere accidental coincidence, then, that the supposed prelude to the Lawcode, after narrating the judgment of Baal-Peor, should address the faithful survivors as follows (IV, 4) "But ye who are cleaving to Jahveh." Apart from these two passages, the expression "to cleave to Jahveh" only occurs in Deuteronomy at X, 20; XI, 22, and XIII, 5 (dependent, as we have seen, upon the *Misvah*).

That the original edition of the Lawcode, following the example set by the Book of the Covenant, had as part of its epilogue a version of "the blessing and the curse," which figures so prominently in the closing section of the former, might *a priori* be expected. And in point of fact elements are found in chaps. XXVII, XXVIII, that appear to find their most natural explanation on such a supposition.

It is generally recognised, and is, indeed, self-evident, that XXVII, 11-13 cannot possibly have formed the original introduction to the "curses" which follow in vv. 15-25, but must have been written for a sequel that contained both blessings and curses. Again, the contents of these latter verses make it inconceivable that they formed even part of the original context, for they contain only prohibitions of specific offences, some of which are not mentioned in the Lawcode at all, and thus constitute a supplement to the latter's enactments, and not a statement of penalties attaching to the transgression of it as a whole.

But in chap. XXVIII, we find two separate passages which, taken together, quite correspond with what we might have expected to follow XXVII, 11-13, viz., XXVIII, 2b-6, 15a\*, 16-19. Here we have two exactly

balanced sets of six short sentences, each of the former beginning with the word **בְּרִיךְ**, and each of the latter with the word **אָרִיר**, thus answering in number to the division of the tribes. Moreover, these blessings and curses are attached as consequences to the general obedience and general disobedience respectively of the nation to the divine law as a whole. The clue to the words by which they were originally announced is found in the circumstance that the sentence, "if thou hearken unto the voice of Jahveh thy God," with which v. 1 commences, is repeated unnecessarily at the end of v. 2. It is probable then, that this latter sentence, beginning with **וְ**, which stands immediately before v. 3, is part of the original context of vv. 3 ff., while in v. 15, the two negative sentences of the *Misvah* and *Torah* respectively, having, no doubt, also been identical in form, except for the **וְיִירָא** of the former, are now both represented by 15a, owing to the fact of no addition being made to this verse, as in the case of verse 1b, that made the retention of them in separate form possible. The conditional sense of **וְ** at the beginning of the statement of a hypothetical case, as in v. 2b, is one of the commonest usages of XII-XXV.

XXVII, 14, which provides for the actual utterance of what is to follow by the Levites, is generally considered to form part of the later insertion, but, we think, mistakenly so. There does not appear to be anything contradictory in the fact that in v. 12 it is said of the tribes, "these shall stand to bless the people, etc." and the fact that in v. 14 the Levites are enjoined to do the actual speaking. It is obvious that the tribes must have been conceived to have some appointed spokesmen, and the supposition that the author intended the Levites to

XXVIII, 16-19, which is directed against general disobedience to the *Torah*, and to which it forms an appropriate close, being responded to by "all the people." It is a remarkable fact that XXVII, 15-25 *without* the responses occupies precisely the same space, to the merest fraction of a line, as the section composed of XXVIII, 2b-6, 15a\*, 16-19. It may be suggested, then, that the redactor who transferred this passage to its present position inserted XXVII, 15-25 *without* the responses, which were added subsequently at the end of each verse on the model of v. 26. Incidentally this may possibly explain the use of the term אָרַר in Jerem. XI, 3, and of the expression, "Then I answered and said, Amen, Jahveh" in v. 5. The difficulty of accounting for these apparent allusions to the section of Deuteronomy under consideration consists in this, that while these particular expressions appear to indicate some sort of acquaintance with the passage before us, on the other hand the whole substance of Jeremiah's utterances in connection with them, as well as the admitted lateness of Deut. XXVII, 15-25, makes it impossible to suppose that he could have known this passage as a whole. But if, as above suggested, XXVII, 26 formed part of the original epilogue of the Lawcode, and if the latter was at first published separately as a sequel to (and no doubt only a short time after) the Book of the Covenant, then it becomes intelligible how in Jerem. XI, 1 ff., which may not have been reduced to written form until after this first publication of the Lawcode, the prophet borrows these expressions from its environment to describe his original utterance with regard to the Book of the Covenant.

We may exhibit the proposed reconstruction as follows :

XXVII, 11-14: And Moses commanded the people in that day saying, These shall stand to bless the people upon Mount Gerizim when ye pass over Jordan,—Simeon, and Levi, and Judah, and Issachar, and Joseph, and Benjamin,—and these shall stand concerning the curse upon Mount Ebal,—Reuben, Gad, and Asher, and Zebulon, Dan, and Naphtali.

And the Levites shall proceed to say to every man of Israel with a loud voice :

XXVIII, 2b-6: If thou shalt hearken unto the voice of Jahveh thy God,

Blessed shalt thou be in the city, and

Blessed shalt thou be in the field :

Blessed shall be the fruit of thy body, and the fruit of thy ground, and the fruit of thy cattle, the increase of thy kine, and the young of thy flock :

Blessed shall be thy basket and thy kneading-trough :

Blessed shalt thou be when thou comest in, and

Blessed shalt thou be when thou goest out.

XXVIII, 15a\*, 16-19: But if thou shalt not hearken unto the voice of Jahveh thy God,

Cursed shalt thou be in the city, and

Cursed shalt thou be in the field :

Cursed shall be thy basket and thy kneading trough :

Cursed shall be the fruit of thy body, and the fruit of thy ground, the increase of thy kine, and the young of thy flock :

Cursed shalt thou be when thou comest in, and

Cursed shalt thou be when thou goest out.

XXVII, 26: Cursed be whosoever confirmeth not the words of this *Torah* to do them. And all the people shall say, Amen.

XXXI, 9-13. And Moses wrote this *Torah*, and delivered it unto the priests, the sons of Levi, who bare the ark of the covenant, and unto all the elders of Israel. And Moses commanded them, saying, etc.

It will be observed that XXVII, 11 commences with the sentence, "And Moses commanded the people

in that day, saying," and that in XXXI, 10 we have, "And Moses commanded them, saying." Cf. further "the people," XXVII, 11, XXXI, 12: the use of the word *אֱלֹהִים*, XXVII, 9, 14, 26: the fact that the injunction "thou shalt hearken unto the voice of Jahveh thy God," which appears in connection with these final blessings and curses of the Lawcode, also forms part of its solemn prelude (XXVII, 10): cf. also "the words of this *Torah*," XXVII, 26, with "all this *Torah*," IV, 8; and "all the words of this *Torah*," XVII, 19; XXXI, 12.

On the above supposition, it becomes highly probable that XI, 29 was inserted in connection with a subsequent redaction, and for the following reasons. XXVII, 11-14 is complete in itself, and does not require any preliminary announcement to explain it. The manner in which the injunction is introduced, "And Moses commanded the people in that day, saying," suggests that some new command is about to be imparted, and not one that has been already referred to. Again, Kuenen's explanation of XI, 29, 30 (see pp. 96 f.), while extremely ingenious, labours under the disadvantage of implying too large a demand upon the imagination of the original reader of the passage. The nature of the reference in v. 29, and the very fact of its obscurity apart from what follows in chap. XXVII, appears to make the supposition more probable that it was inserted after the latter passage was in existence, and in order to prepare for it. From the point of view reached in the preceding inquiry it is evident that XI, 29 can hardly be supposed to have formed part of the prelude to the Lawcode, seeing that in what we assume to have been the preceding context, viz., IV, 1-4, there

is no reference to the "blessing and the curse." But in connection with the combined edition of the *Misvab* and *Torah*, as the first part of the closing section of the former, viz., XI, 26-28, was retained in its original place, it would be very natural that v. 29 should be added, in order to connect this reference to the blessing and the curse with the subsequent passage, XXVII, 11 ff. Verse 30 is apparently a later expansion.

XXXI, 9-13 we take to have formed the concluding portion of this epilogue to the first edition of the Lawcode, following originally XXVII, 26. Here we have clear evidence of IV, 10 ff., and XXIX, 1-14 as forming parts of the existing Book of the Covenant, and thus influencing the thought and expression of the writer. For example, the summons, "Assemble the people" is identical with that in IV, 10, except that <sup>י</sup> is necessarily omitted. Again, the sentence in IV, 10, "that they may learn to fear me all the days that they live (participle) upon the earth, and that they may teach their children," is reëchoed in XXXI, 12, "that they may learn, and fear Jahveh your God," and more fully in v. 13, "and that their children . . . may learn to fear Jahveh your God all the days that you live (participle) upon the land." Further, v. 12 contains a distinct reminiscence from XXIX, 1-14, viz., "the men and the women, and the little ones, and thy stranger that is within thy gates," for this combination of expressions occurs nowhere else in Deuteronomy except in XXIX, 9, 10.

The specific points of connection with XII-XXV, e.g. "this *Torah*" (XVII, 19): "the priests the sons of Levi" (XXI, 5): "at the end of seven years . . . the year of release" (XV, 1): "appear before Jahveh thy

God in the place which he shall choose" (XVI, 16), etc., are too obvious to require enlarging upon.

It may be observed that in the provision here made for the public reading of the *Torah* every seven years, we probably have the explanation of the successive "editions" of the book of Deuteronomy, which were doubtless adapted to the varying circumstances of the times in which they were respectively produced.

#### § 14. The First Combined Edition of the *Miṣvah* and the *Torah*.

##### 1. ALTERATIONS AND ADDITIONS.

(1) XXVIII, 69—XXIX, 14, removed from the beginning of the Book of the Covenant, and replaced by

(2) a section consisting of V, 1a, 2-4; IV, 10-16a, 19-26, 32-39, preceded by

(3) the title IV, 45ab ("This is the testimony which, etc,") 46bc.

(4) Exod. XXIV, 4-8 removed from the epilogue of the Book of the Covenant.

(5) The concluding portion of the *Miṣvah*, viz., XXVIII, 1\*, 2a, 7-14, 15\*, 20-25a, 43-45; XXX, 11-20, along with the final verses of the epilogue, XXXII, 45-47, placed after XXVII, 26, at the end of the combined work.

(6) XI, 29 added after XI, 28.

(7) XXVI placed in revised form after XXV.

(8) IV, 5-8 inserted after XXVI, 15.

(9) XXVII, 1b, 3b-4a, 5-7 placed in revised form, as XXVII, 1-8, after XXVI.

(10) X, 22—XI, 5 added after X, 21.

(11) XXVII, 9, 10 transferred to present position in revised form.

(12) The *Torah* epilogue, XXXI, 9-13, placed between XXX, 20 and XXXII, 45.

## 2. SUMMARY OF COMBINED WORK IN ABOVE FORM.

IV, 45a<sup>\*b</sup>, 46bc; V, 1a, 2-4; IV, 10-16a, 19-26, 32-39; V, 29—IX, 6; X, 12—XI, 5; XI, 7-29; IV, 44, 45c, 46a; IV, 1-4; XI, 31—XXVI, 15; IV, 5-8; XXVI, 17—XXVII, 14; XXVIII, 2b-6, 15,<sup>\*</sup> 16-19; XXVII, 26; XXVIII, 1, 2a, 7-14, 15, 20-25a, 43-45; XXX, 11-20; XXXI, 9-13; XXXII, 45-47.

These changes, complicated as they appear when thus detailed, constitute in point of fact, when taken together, the first step towards the realisation of one very simple conception.

The superior practical importance of the *Torah* made it inevitable that it should soon dominate the whole of the Deuteronomic publication. The first effort in this direction, however, appears to have been limited to the following alterations, viz. (a) the removal from the Book of the Covenant of those parts of its framework that gave it a specific character as a separate work; (b) the modification of those parts of its contents that were actually in conflict with the central idea of the Lawcode; (c) the transference of the latter sections along with the concluding part of the *Misvah* to a position subsequent to the main body of the Lawcode. It will be convenient to deal with the various passages in the order given above.

(1) XXVIII, 69—XXIX, 14, in which a covenant in Moab was announced, was removed, in order that the substance of the exhortation which it introduced, the



*Miṣvah*, might be made to serve as a prelude to the Lawcode. It is to be presumed that this section, XXIX, 1-14, with its already existing title, XXVIII, 69, was only restored to the Deuteronomic document at a much later date, during or subsequent to the Exile. Nor is it difficult to understand how this was so, for its exceedingly specific nature must have made it impossible to incorporate it with the combined work. That it did ultimately find a place in the environment of the latter, where we now have it, was doubtless owing, as has been said, to the fact that it happened to be utilised during the exilic period in connection with homiletical matter then produced, though even now its presence is felt by most commentators to constitute one of the greatest mysteries of the book.

The reason for the abandonment of the conception of the Covenant in Moab in connection with the combined edition of the *Torah* and *Miṣvah* is no doubt to be found in the circumstances which attended the origin of these two sections of Deuteronomy. The *Torah*, XII-XXV, had been composed originally as an independent sequel to the Book of the Covenant. It does not contain anything which assumes it to have been the basis of such a covenant, for the simple reason that it was at first conceived as following upon the ratification of the covenant (XXVII, 9, 10; IV, 1 ff.). When the idea of combining the two suggested itself, the unification was carried out, not by bringing the *Torah* under the scope of the Book of the Covenant, but by abandoning what had been specific in the latter and by bringing the combined *Torah* and *Miṣvah* directly under the scope of the Horeb Covenant.

(2) In constructing a new initial section for the combined work, the redactor retained the opening sentence

of the original section, "And Moses called unto all Israel and said unto them," and also v, 2, "Jahveh our God made with us a Covenant in Horeb," to which he added v, 3, "Jahveh made not this Covenant with our fathers, but with us, even us, who are all of us here alive this day." This verse, the form of which has been suggested by the last verse of the original section (XXIX, 14), was added because, the passage being now removed in which it had been made clear (XXIX, 1, 4) that the people Moses was addressing were the same individuals who had survived from the time of leaving Egypt, it was necessary to insert here a statement to the same effect. Verse v, 4, "Face to face did Jahveh speak with you in the mount out of the midst of the fire," was also added as emphasising this redactor's interpretation of IV, 12a, "And Jahveh spake unto you from the midst of the fire," an idea which he also dwells upon in his further addition, IV, 32-39.

IV, 10-16a, 19-26 was retained, thus making the combined work commence with a reference to the Horeb Covenant, which here supersedes, as implicitly embracing the Covenant in Moab. It was probably at this time that the sentence IV, 10a, "the day that thou stoodest before Jahveh thy God in Horeb," was added, owing to the interposition of v, 3, 4, after v, 2. Coming immediately after v, 4, "Face to face did Jahveh speak with you, etc.," it will be evident how this addition came to be made.

The initial section thus constructed, viz., v, 1a, 2-4 ; IV, 10-16a, 19-26, was then expanded to the size of the original passage by the addition of IV, 32-39. It is at least a significant fact that v, 1a, 2-4 ; IV, 32-39, taken together, occupy in ordinary Hebrew print almost exactly the same space as XXIX, 1-14. IV, 32-39 is

obviously not exilic (IV, 39b), and consists of a collection of expressions drawn chiefly from VI-XI. The writer dwells largely upon the wonderfulness of Jahveh's having spoken to the people "out of the midst of the fire," the standpoint here being identical with that of V, 4; but he does not refer to the special lesson which the original author of IV, 10 drew from the attendant circumstances. There would, indeed, be no further necessity to do so, if, as we assume, the passage was composed at a time when the lawcode was in full operation. That the writer had XXIX, 1-14 before his mind appears probable when we compare IV, 34, "temptations, signs, and wonders, and war," and v. 35, "that thou mightest know that Jahveh he is God," with XXIX, 2, 7 ("war"), 5b. It will be further observed that IV, 39 connects quite naturally with v, 29, which on this theory it at one time immediately preceded (IV, 39): "Know therefore this day, and lay it to thine heart, that Jahveh, he is God in heaven above, and upon the earth beneath; there is none else. (v, 29) Ye shall observe to do, therefore, as Jahveh your God hath commanded you, etc."

(3) The original initial section XXIX, 1-14, apart altogether from its title, had contained clear indications of the locality in which the discourse was being delivered. These having now been removed, and the *Torah* title and prelude only following later (viz., before XII, 2), it was necessary to furnish the new initial section with a title that should embody those indications. This is found in IV, 45ab, 46bc: "This is the Testimony which Moses spake unto the children of Israel in the land of Sihon king of the Amorites who dwelt in Heshbon, whom Moses and the children of Israel smote after they had gone forth from Egypt."

The purpose of the geographical reference being merely to locate the discourse which follows, it is probable that v. 47 is a later expansion, subsequently augmented by the addition of vv. 48, 49.

The question here arises as to the precise form of this first combined edition of the *Mišvah* and *Torah*. It has already been mentioned that in our view the "statutes and judgments" revision, as applied to the main body of *Mišvah* in VI-XI, probably represents a later effort in the direction of a more complete domination of the *Torah*, an actual fusion of the two main sections of Deuteronomy. On the other hand, we may be quite sure that the word עֵדוּת does not stand at the beginning of IV, 45 without a history to explain its origin. This we take to be closely connected with the first combination which we are at present considering. According to the above suppositions, the problem which the first redactor had to solve was as follows. Having removed from the Book of the Covenant its specific features, he had before him the *Mišvah*, commencing (VI, 1) "And this is the *Mišvah*." He had also before him the *Torah*, with its title commencing (IV, 44) "And this is the *Torah*." But in addition, he had the opening section, as above detailed, which dealt with the Covenant at Horeb, and the special lessons derived from Israel's experiences there, and which did not come under the scope of either designation. Consequently, in framing a title for the commencement of the combined work, it was necessary to use a different term to cover this initial section, and at the same time one of so general a character as to embrace in a sense all that was to follow. Such a term, however, was not far to seek. One of the most outstanding expressions of the Book of the Covenant had been the word "testify," nor

did it occupy a less prominent position in the combined work. It was found not only in the opening section itself (IV, 26), but also in the *Mišvah*, at one of its most important turning points (VIII, 19). Again, it occurred in the impressive closing paragraph now removed to the end of the combined work (XXX, 19), and finally, it stood out conspicuously in the closing part of the epilogue (XXXII, 46). But further, the original Deuteronomic author had employed the relative substantive of this verb to describe the main purport of his composition (VI, 20), "When thy son shall ask thee in time to come, saying, What is the testimony עֲדָתָא which Jahveh your God commanded you?" (For when we consider the nature of the reply given to the question in the following verses, it is evident that this word, though now pointed as a plural, was originally intended to be read as a singular.) In these circumstances it was very natural that the redactor should employ this term in his new preliminary title.

We may thus suppose that the first combined edition of Deuteronomy was in triplicate form, embraced according to the conception of the redactor under three headings: (1) The new title (IV, 45ab, 46bc), "This is the Testimony which Moses spake unto the children of Israel in the land of Sihon, king of the Amorites, who dwelt at Heshbon, whom Moses and the children of Israel smote after they had gone forth from Egypt," (2) the original introductory sentence of the *Mišvah* (VI, 1), "And this is the *Mišvah*, etc."; (3) the original *Torah* title (IV, 44, 45c, 46a), "And this is the *Torah* which Moses put before the children of Israel after they had gone forth from Egypt, on the other side of Jordan, in the valley over against Beth-Peor."

It was no doubt in connection with this first combined edition that a beginning was made in the direction of the "statutes and judgments" revision of the *Mišvah* in the case of certain portions of the latter which had now been placed after the *Torah* (XXVI, 17 ; XXVIII, 15, 45 ; XXX, 16 ; XXXII, 46). IV, 14 may have been altered when the Lawcode was first published : cf. IV, 5.

On the other hand, it appears probable that in the original text of the *Mišvah* there were some allusions to the Moab Covenant which were removed at the time of this redaction. Thus in XXX, 16, "If thou shalt hearken to the Commandment of Jahveh thy God, which I command thee this day, to love Jahveh thy God, to walk in his ways, and to keep his Commandment," it is very evident that if the term "Covenant," or the expression "the words of this Covenant" be substituted for "Commandment" in the last clause, it not only gives a better sense, and avoids a tautology, but it also harmonises in a specific manner with what follows in v. 17b, ". . . if thou be drawn away and worship other gods and serve them," especially when we note the close connection of the words here used with IV, 19-23, where there is an explicit reference to the Horeb Covenant. Again, in XXVIII, 14, it seems probable from the nature of the surrounding context that the phrase, "all the words which I command you this day," was originally "all the words of this Covenant," perhaps with the addition "which I am making with you this day." Between XXVI, 15 and 17, it can hardly be doubted that there once stood a definite reference to the Covenant in Moab, of which the gist of vv. 17-19 contains the conclusion. The word "Covenant" may also have been supplanted by "Commandment" in VIII, 2 ; XXVI, 13c ; and in a few

other places expressions are found that may quite conceivably at one time have contained an allusion to the circumstances described in XXIX, 9-14.

(4) If this narrative passage, Exod. XXIV, 4-8, originally formed part of the Epilogue attached to the Book of the Covenant, it is evident that the reasons which led to the removal of XXIX, 1-14 would also apply to this section.

(5) As the *Mišvah* and *Torah*, had both concluded with a section detailing the "blessing and the curse," these sections were naturally conjoined at the close of the combined work. The succinct *Torah* version of the "blessing and the curse" having been originally, as regards its contents, based upon the relative passage of the *Mišvah*, the latter now served as a suitable rhetorical expansion and enforcement of it.

(6) The *Mišvah's* preliminary announcement of the "blessing and the curse" (XI, 26-28) having been retained in its original position,—doubtless with the purpose of giving emphasis to the commencement of the *Torah*,—XI, 29 was added in order to connect this announcement with the subsequent detailed statement, XXVII, 11 ff. XI, 30 is probably a later addition to XI, 29. See above, p. 158.

(7) The reasons for the removal of XXVI from its original position between VIII, 18 and 19 have already been stated (see pp. 81 f.).

(8) We may suppose that IV, 5-8, the commencement of the epilogue of the *Torah*, was removed from its original place immediately subsequent to the conclusion of the latter, and found its next position between XXVI, 15 and 17. Here it doubtless took the place of a short passage which had contained an explicit reference to the Moab Covenant, and of which XXVI, 17-19

in its original form was the conclusion. In its turn, XXVI, 16 appears to have replaced IV, 5-8 on the removal of the latter section to its present position.

(9) With regard to the transference and revision of this section, XXVII, 1b, etc., see p. 98.

(10) In the place it had occupied, the secondary matter, X, 22—XI, 5, was inserted (v. 6 being added, as we shall see, in connection with a subsequent edition of Deuteronomy). It may be noted that these verses appear to contain reminiscences of XXVI, removed, on this theory, by the same redactor. Cf. especially X, 22 with XXVI, 5; also XI, 2, "his strong hand and his outstretched arm," with XXVI, 8; and XI, 5, "until ye came unto this place," with XXVI, 9a, "and he brought us unto this place." Again, the phrase, "unto Pharaoh and all his land" (v. 3) suggests an acquaintance with XXIX, 1. Cf. also the above phrase in XI, 5 with XXIX, 6a.

(11) It is not difficult to understand how these two verses—XXVII, 9, 10, which formed originally the commencement of the prologue to the Lawcode—came to be transferred to their present position. They assume at once the previous promulgation and the separate existence of the Book of the Covenant. This made their presence between XI and XII unsuitable in connection with a redaction that eliminated the specific element in the Book of the Covenant, and transformed the *Mišvah* into a prelude to the *Torah*. The redactor utilised them, however, to introduce the formal declaration of the "blessing and the curse," adding to them at the same time the phrases "and the Priests the Levites" (v. 9), "and his statutes" (v. 10), in order the better to adapt them to a position subsequent to XII-XXV.



(12) This narrative section, XXXI, 9-13, originally the concluding portion of the *Torah* epilogue, found its most natural position at the close of the combined work, but in front of the short passage, XXXII, 45-47, which had originally constituted the termination of the Book of the Covenant. Here it supplanted the narrative passage, Exod. XXIV, 4-8, which had occupied this place in the Book of the Covenant, and on which it had been modelled, at least to the extent of recording that "Moses wrote" the preceding work. XXXII, 45-47, which had originally followed Exod. XXIV, 4-8, formed a tolerable, if not quite so organic a sequel to XXXI, 9-13, all the more so as the writer of this closing paragraph of the *Torah* epilogue had been influenced in his phraseology by these closing verses of the Book of the Covenant.

On considering the redaction above detailed, it will be observed to exhibit a certain unity of tone and standpoint. What we may call the minatory element, the element of recrimination, and reproach, and unalleviated prophecy of disaster, is conspicuous by its absence. This is just what might have been expected on the supposition that the Book of the Covenant had been the instrument of a successful reformation, of which the Lawcode was the outcome, and that the combination of these two works took place at a period when the nation was still, externally, at least, in a state of acquiescence. The tone of appeal which dominates the *Mišvah*, gives place in the prelude and epilogue of the *Torah* to one of complacency (IV, 4, 6-8), expectant of a well-ordered and prosperous future (XXXI, 10, 11, 13). This note of calm satisfaction also distinguishes the redactional additions, IV, 32-39, and X, 22—XI, 5.

The fact that we do not find in the writings of Jeremiah any reflection of this complacent attitude is no argument against either the co-existence of Deuteronomy with Jeremiah, or the genuineness of the prophet's writings. For we must keep in mind that subsequent to the reformation of Josiah, Deuteronomy would represent the official and hierarchical view of things, whereas Jeremiah's utterances are those of the independent prophet, the keen, uncompromising critic, the individual agitator and reformer.

§ 15. The Second, or Decalogue Edition.

1. ALTERATIONS AND ADDITIONS.

- (1) V, 5-28 substituted for IV, 10-16a, 19-26, 32-39.
- (2) IV, 44, 45c, 46a; IV, 1-4; IV, 5-8 removed to form with IV, 10-16a, 19-26, 32-39 an introductory section,—IV, 9 and IV, 40 being added as connecting links.
- (3) The "statutes and judgments" revision applied to the main body of the *Mišvah* preceding the *Torah*.

2. SUMMARY OF COMBINED WORK IN ABOVE FORM.

IV, 44, 45c, 46a; IV, 1-16a, 19-26, 32-40; IV, 45a\*b, 46bc, 47; V, 1—IX, 6; X, 12—XI, 5; XI, 7—XXVII, 14, etc., as in preceding summary.

- (1) The insertion of the Decalogue appears to have been accomplished by simply removing the section of the first combined edition that dealt with the Horeb Covenant, viz., IV, 10-16a, 19-26, 32-39, and introducing in its place the new version, V, 5-28. Here again we are met by a significant coincidence in size, these two sections being of nearly equal length.

The contrast between the conception of v, 4, in which it is said that Jahveh spoke to the people "face to face out of the midst of the fire," and v, 5, in which Moses is represented as conveying the divine communication, is thus explained without the necessity of regarding the latter verse as an interpolation. Verse 4, as we have seen, expresses the view of the redactor of the first combined edition, the author of the cognate passage IV, 32-39, who added this verse as his interpretation of IV, 12a, while verse 5 embodies the view of the redactor of this second edition, the author of v, 19-28, in which passage the idea of the mediatorship of Moses is emphasised. The fact that the later redactor left v. 4 in position is no doubt to be explained by the consideration that he did not see any actual contradiction between the two statements, inferring as his interpretation of IV, 10 ff., that the people only heard the "sound" of God's words (IV, 12), without hearing the actual words themselves, and that Moses acted as the medium of conveying the latter to them. It must be kept in mind in discussing not only this point, but also the question of interpolations that some critics have supposed to exist in v, 19-28, that the homogeneity of a passage of this sort can hardly be judged by the same standard that would apply to an original composition.

It has already been argued that IV, 10 ff. belongs to a transition stage between the older Decalogues of J, E, and the Decalogue which now exists in Deut. v and Exod. XX. The further question as to the relative priority of the two versions of the Decalogue found in these chapters cannot be discussed abstractly. In connection with the present inquiry the first point that requires to be determined is, at what period did v, 6 ff.

find a place in the Deuteronomic record? We have seen that this must have been subsequent to the publication of the Lawcode, and from the analysis just completed we infer that it was also subsequent to the completion of the first combined edition of the *Torah* and *Miṣvah*. Now, looking at the passage v, 5, 19-28, which was evidently composed to accompany the Decalogue, two further data are obtained. In the first place, there is nothing in it that indicates the exilic or post-exilic standpoint. Again, there is nothing to connect it with the minatory aspect of Deuteronomy. On the other hand, there can be no doubt that this latter phase of the book is partly anterior to the Exile, dating from the years of national decline and misfortune which preceded the final catastrophe. It seems probable, then, that the section under consideration was introduced in the period following upon the first combined edition of the *Torah* and *Miṣvah*, but before the period immediately preceding the Exile.

This conclusion with regard to the date of the Decalogue's insertion in Deuteronomy necessarily carries with it the further conclusion that its insertion in Exod. xx took place at a subsequent date. For if this form of the Decalogue had stood in either of the older sources, J or E, it is impossible to explain its absence from the earlier sections of Deuteronomy, or the existence of such a passage as IV, 10 ff., especially in view of the otherwise abundantly proved acquaintance of the original Deuteronomic writer with those older sources. Again, the Decalogue of Deut. v has no appearance of having been taken from a non-Deuteronomic source, but is distinctively Deuteronomic in its language and style. Further, there is no good ground for holding

that the reason given for the observance of the Sabbath in Exod. XX—which is in harmony with the ideas of P—is a later interpolation. But if this passage had existed in the document from which the Deuteronomic writer took his version of the Decalogue, it is inconceivable that he should have omitted it. On the other hand, the reason given in the Deuteronomic Decalogue is of a more limited character, and it is quite intelligible how at a later period this came to be replaced by the other conception. Finally, the Decalogue of Exod. XX, judging from its present context, appears to be a late insertion (see pp. 119 ff.).

(2) The section IV, 10-16a, 19-26, 32-39, having been removed to make room for V, 5-28, was placed in a position immediately preceding the promulgation of the Decalogue, where it might serve as a kind of prelude to the latter. At the same time there was prefixed to it a passage consisting of IV, 44, 45c, 46a; IV, 1-4; IV, 5-8, which had originally formed the title and portions of the prologue and epilogue of the Law-code. The reason for the transference of these passages to this position was doubtless connected with the fusion of the *Mišvah* and *Torah* which now took place. So far, the main body of the *Mišvah*, viz., VI, 1-IX, 6; X, 12-XI, 28, though denuded of its specific environment, and utilised as a preface to the *Torah*, had preserved its individual character. But now a decisive step was taken: the *Mišvah* was incorporated with the *Torah*. This was accomplished (a) by transferring the above passages, consisting of the *Torah* title and the available portions of the *Torah* prologue and epilogue, to the commencement of the combined work, thus bringing the *Mišvah* formally under the category of the *Torah*; and (b) by that alteration in the ter-

minology of the *Mišvah* which we have called "the statutes and judgments" revision.

In order to connect IV, 10 ff. with IV, 1-8, the redactor wrote v. 9 between the two sections, "Only give heed to thyself, and give heed unto thy soul exceedingly, lest thou forget the things which thine eyes have seen, and lest they depart from thy heart all the days of thy life, but make them known unto thy children and thy children's children." Again, in order to provide a fitting transition to what now became the second title, IV, 45a, 46bc, which, as revised, contained the announcement of the "testimonies, statutes, and judgments," he also added v. 40: "Thou shalt therefore keep his statutes and his commandments, which I command thee this day, that it may be well with thee, and with thy sons after thee, and that thou mayest prolong thy days upon the land which Jahveh thy God giveth thee, for ever." This verse, which now follows IV, 39, is modelled upon v, 29 f.; which, as already contended, formerly occupied the same position. It begins with the same expression, וְשָׁמַרְתָּ. Cf. further, "which I command thee this day" with "as Jahveh your God hath commanded you" (v, 29); and "in order that thou mayest prolong thy days" with the same statement in v, 30. There is also a distinct point of connection between this verse, IV, 40, "that it may be well with thee, and with thy sons after thee . . . all the days," and the new section, v, 19-26, written on this theory by the same hand, (v, 26) "that it may be well with them and with their sons for ever." Finally, it is quite in accordance with the scheme of this redaction that we find the contents of the combined work referred to in IV, 40, as אֶת־הַקִּיּוֹר וְאֶת־מִצְוֹתָיו, the employment of the plural of מִצְוָה.

no doubt dating from this period, as a further effort in the direction of a complete fusion of the two sections.

(3) The "statutes and judgments" revision. This topic has already been dealt with (pp. 52-57). It is unnecessary to examine in detail the individual passages of the original Deuteronomy in which these terms appear. The fact that they may be excised without affecting the sense is exhibited in the appended version of that work. The proof that they have been added later depends upon the cumulative effect of the whole analysis here presented. That the terms **חֻקִּים**, **מִשְׁפָּטִים** could never have been intended to apply specifically to the contents of the 'hortatory discourse' apart from the lawcode is indubitable. Consequently, if they formed part of the original text of VI-XI, then that section must have been composed with direct reference to XII-XXV. On the other hand, if it be held to be demonstrated that VI-XI originally formed part of an independent publication of earlier date than XII-XXV, then these terms must be considered to be the result of a subsequent revision, probably effected at this period.

In addition to the general argument, however, certain indications within VI-XI itself appear to shew that they do not form part of the original text. Thus in several of its most weighty passages, we find the expression **הַמִּצְוָה** alone. Again, VI, 1 commences, "Now *this* (**זֶה**) is the commandment, the statutes, and the judgments." Further, the admonition, (VI, 6-9) "And these words which I command thee this day shall be upon thine heart, etc.," appears to be out of keeping with a reference to the lawcode. In VI, 20 the young Israelite, according to the present text, asks, "What

are the testimonies, and the statutes, and the judgments which Jahveh our God hath commanded you?" But the reply given in the following verses contains no reference to anything in the form of "statutes and judgments" with the exception of the clause (v. 24) "to do all these statutes," concluding as follows, (v. 25) "And it shall be our righteousness, if we observe to do all this *Misvah* before Jahveh our God, as he hath commanded us." This whole passage is absolutely inexplicable on the supposition that VI-XI was originally composed with reference to XII-XXV, and that VI, 20 was written originally as it now stands, but is quite in keeping with what is here suggested as the history of the Deuteronomic documents.

### § 16. The Third or Minatory Edition.

#### I. ADDITIONS.

- (1) IX, 7—X, 11, and XI, 6 inserted.
- (2) XXVIII, 26-35, 38-40, 42 added after XXVIII, 25a.
- (3) XXXI, 24-29 added between XXXI, 9-13 and XXXII, 45-47.

#### 2. SUMMARY OF COMBINED WORK IN ABOVE FORM.

IV, 44, 45c, 46a; IV, 1-16a, 19-26, 32-40, 45ab, 46bc, 47; V, 1—XXVII, 14; XXVIII, 2b-6, 15\*, 16-19; XXVII, 26; XXVIII, 1, 2a, 7-15, 20-25a, 26-35, 38-40, 42-45; XXX, 11-20; XXXI, 9-13, 24-29; XXXII, 45-47.

This redaction of Deuteronomy, if we have regard to what appears to have been its object, may be called the minatory edition. Its purport is doubtless to be



explained by a change which had taken place in the attitude of the nation towards the reform movement. That movement had now spent itself, and there succeeded, as is only too evident from the writings of Jeremiah, a condition of apostasy, accentuated by the desperate circumstances in which the nation found itself.

(1) The much-debated question as to how the long historical interpolation, IX, 7—X, 11, came to find a place within VI-XI is thus explained, when we observe to what a large extent it deals with the topic of Israel's rebelliousness and stubbornness. A Deuteronomic version of the earlier history, illustrating this aspect of Israel's conduct, and also dwelling largely upon the mediatorship of Moses, had probably already been in existence for some time, in the form of an address by Moses to the nation. The redactor of the present edition, not having in view the incorporation of this historical discourse as a whole with the Deuteronomic Lawbook, utilised at this stage of the latter's development such elements of it as he found most suitable for his purpose.

The combined *Miṣvah* and *Torah*, pervaded hitherto by a spirit of satisfaction and hopefulness, had to be adapted to the changed condition of the times. The portion of the combined work which lent itself most easily to such an alteration was the *Miṣvah*, it being largely in the form of a hortatory appeal addressed to the people on the subject of their general attitude to Jahveh. Instead, however, of endeavouring to carry out the alteration by making additions of a homogeneous character throughout the *Miṣvah*—a task which must have presented considerable difficulty—the redactor chose the easier method of interpolating

a section of the historical discourse which especially illustrated the "stiff-neckedness" of Israel, revising and expanding it so as to emphasise as much as possible the lessons it was fitted to convey.

The original author of the Book of the Covenant, following up his line of thought in VIII, XXVI, IX, 1 ff., had addressed (IX, 6) to Israel the admonition, "Know, therefore, that Jahveh thy God giveth thee not this good land to possess it for thy righteousness, for thou art a stiffnecked people." Taking this statement as his text, the redactor adds v. 7 as a connecting link, in which he summarises the import of the passage he is about to introduce, "Remember, forget thou not how thou provokedst Jahveh thy God to wrath in the wilderness: from the day that thou wentest forth out of the land of Egypt, until ye came unto this place, ye have been rebellious against Jahveh," and proves this by inserting a historical recapitulation of illustrative incidents.

It is not possible to enter here upon a detailed examination of this narrative section, the text of which in some places exhibits a strange confusion. But it may be pointed out that the above explanation of its presence in this section of Deuteronomy accounts not only for the mode of its commencement, but also for such an evident interpolation within it as IX, 22-24, "And at Taberah, and at Massah, and at Kibroth-hattaavah ye provoked Jahveh to wrath. And when Jahveh sent you from Kadesh Barnea, saying, Go up and possess the land which I have given you: then ye rebelled against the commandment of Jahveh your God, and ye believed him not, nor hearkened to his voice. Ye have been rebellious against Jahveh from the day that I knew you." This passage, which cannot



well have stood originally in this place, seeing that it completely interrupts the connection, and which at once reminds us of v. 7, was doubtless inserted here by the redactor, and shews very plainly that in importing this lengthy historical digression into the text of the *Misvah*, he was influenced by a desire, not of supplying historical information, but of using history as a vehicle of censure and rebuke. From the fact that this section, in addition to copiously illustrating the perversity of Israel, also dwells largely upon the successful intervention of Moses, and that XI, 6, which was probably added by the same redactor, alludes to the judgment on Dathan and Abiram, it may perhaps be inferred, as is indeed quite likely to have been the case, that the moral declension of the nation was accompanied by a decreasing respect for those who "sat in Moses' seat."

(2) The expansion of the "curse" occupying a position between XXVIII, 25a and XXVIII, 43, with the exception of vv. 25b, 36, 37, 41, which appear to be later additions dating from the exilic period, was probably added in connection with this redaction of the combined work, though owing to the consideration already referred to, viz., that the later portion of this chapter must have offered a particularly inviting field for subsequent expansion and alteration, it does not seem possible to distinguish with anything like certainty between the additions made before and during the Exile. The reference to Egypt in v. 68 is hardly decisive proof of a pre-exilic date, for it may only have been intended in an allegorical sense.

(3) The relation in which XXXI, 24-29 stands to XXXI, 9-13 admits on this theory of a very simple explanation, making any textual alteration such as the

substitution of "song" for "law" in v. 24 (Staerk,<sup>1</sup> adopted by Bertholet) wholly unnecessary. Section XXXI, 9-13, which formed the original conclusion of the epilogue of the lawcode, had been composed at a time when the nation's attitude to the Deuteronomic reform was considered satisfactory. In connection with the present edition of the combined work, however, such a termination was doubtless felt to be no longer adequate. Consequently a new postscript was composed, modelled upon the former one, but sufficiently differentiated to serve as a sequel to it, and dominated by a tone of minatory protest. Thus in XXXI, 9 it is related that "Moses wrote this law, and delivered it to the priests," while in XXXI, 24 we are told that "when Moses had made an end of writing the words of this law, until they were finished, he commanded the Levites . . . saying, Take this book of the law, and put it by the side of the ark." It will be noted that the writer of the latter passage begins "*when* Moses had made an end, etc.," and that he does not make any statement equivalent to "gave it unto the priests," but uses language calculated to express the sense of a subsequent transaction.

It is unnecessary to go over in detail the points of connection between XXXI, 24-29 and the earlier sections of Deuteronomy. They are very obvious, and of the most decisive character. One circumstance, however, calls for attention. This passage is distinguished from XXXI, 9-13 by undoubted dependence upon the interpolated narrative section IX, 7 ff. Cf. v. 25 with X, 8; v. 27 with IX, 7, 13, 23, 24; v. 29 with IX, 12, 16. This is just as we should expect on the supposition that XXXI, 24-29 was added by the

<sup>1</sup> P. 75.

same redactor who placed IX, 7 ff. in its present position.

The slight points of contact between XXXI, 24-29 and XXXI, 16-22, 30; XXXII, 44 are sufficiently explained on the supposition that these latter verses constitute a subsequent interpolation, and reflect, accordingly, to some extent in their redactional revision the phraseology of the passage to which they were added.

### § 17. **Exilic Redaction.**

#### 1. ADDITIONS AND ALTERATIONS.

(1) XXVIII, 25b, 36, 37, 41, 46-68 added to "the curse."

(2) XXVIII, 69—XXIX, 1-14, while not yet re-incorporated with Deuteronomy, extended by the addition of XXIX, 15-28.

(3) IV, 27-31 added between IV, 26 and 32.

(4) XXVIII, 69—XXIX, 28 placed after XXVIII, 68, and XXX, 1-10 added between XXIX, 28 and XXX, 11-20.

(5) What we may call the Joshua redaction effected by the addition of

(a) I, 1a, 3b-5a; III, 18b\*-29\* before IV, 1 ff.:

(b) XXXI, 1-8 after XXX, 20:

(c) XXXI, 14, 15, 23 between XXXI, 13 and XXXI, 24:

(d) XXXIV, 1\*, 2-5a, 6, 10, (11, 12):

and by the removal of the *Torah* title, IV, 44, 45c, 46a from before IV, 1 ff. to its present position, where it was interwoven with the other title, as we now find them in IV, 44-47.

## 2. SUMMARY OF COMBINED WORK IN ABOVE FORM.

I, 1a, 3b-5a; III, 18b\*-29\*; IV, 1-16a, 19-40; 44-47; V, 1-XXVII, 14; XXVIII, 2b-6, 15\*, 16-19; XXVII, 26; XXVIII, 1, 2a, 7-15, 20-XXXI, 14, 15, 23-29; XXXII, 45-47; XXXIV, 1\*, 2-5a, 6, 10, (11, 12).

(1) The above additions to "the curse," which assume the circumstances of the Exile (cf. vv. 36, 37, 41, 63, 64), but merely dwell upon them as an appropriate punishment for national disobedience and unfaithfulness to Jahveh, without expressing any positively hopeful outlook for the future, were evidently added at a time when the terrible experiences of the siege of Jerusalem were still fresh in the mind of the writer.

(2) XXVIII, 69-XXIX, 1-14, as already suggested, was probably utilised by the addition of XXIX, 15-28 for a special hortatory purpose (cf. vv. 19 ff.), while yet in a detached state. This addition appears to have been made before the closing part of the Exilic period. The most the writer can say with regard to the future is that "the secret things belong unto Jahveh our God" (v. 28).

(3) On the other hand, the passages IV, 27-31, XXX, 1-10 plainly belong to the latter part of the Exilic period, when the prospect of the Return had emerged. Of the two, IV, 27-31 is probably the earlier, and was doubtless added after IV, 26 to give completeness to the prophecy of contingent destruction there announced, and at the same time to supplement it with the prophecy of restoration.

(4) The writer of XXX, 1-10 evidently had before him not only XXVIII, but also XXIX, 1-28 and XXX, 11-20. It may be assumed, then, that XXVIII, 69-XXIX,

28 was placed in its present position by this redactor, who wrote XXX, 1-10 between it and XXX, 11-20. This passage, XXX, 1-10, is an eloquent expansion of IV, 27-31, with the language of which it shews undoubted acquaintance. It may therefore be regarded as subsequent to the latter, though possibly by the same hand, and as dating from a time when the Return was at least an assured prospect.

(5) What we have called the 'Joshua redaction' appears to offer a problem of greater interest in connection with the development of Deuteronomy than is commonly recognised.

The analogy presented by the insertion of IX, 7 ff. suggests the idea that those passages referring to the installation and encouragement of Joshua do not occupy so prominent a place in the book of Deuteronomy without some definite reason connected with contemporary circumstances. As we have already seen, there was at first, apparently, no intention of incorporating the Deuteronomic historical discourse with the Lawbook. A commencement was made in this direction for a specific, non-historical purpose with the narrative section or sections now included in IX, 8—X, 11. It may be supposed that a second step of this kind was taken before the addition of that portion of the historical discourse we now have in I, 6—III, 10, by employing the element in it referring to Joshua for another specific purpose.

The existence of sections like IV, 27-31, XXX, 1-10, clearly proves that the literary collection which we now call the book of Deuteronomy was still open and being added to at the close of the Exilic period. It is only natural to suppose, therefore, that the epoch-making event of the Return itself should have

left some trace upon the book. And this, we venture to think, is to be found in the 'Joshua redaction.'

It was doubtless felt to be a striking coincidence that the priestly leader who divided with Zerubbabel the privilege of conducting the exiles back to the holy land bore the same name (Haggai I, 1; Zech. III, 1), as the traditional successor of Moses under whom Israel had originally effected its conquest. And in the contemporary writings of Haggai and Zechariah we find unmistakable reminiscences of the Joshua sections of Deuteronomy. Thus in Haggai II, 4, the characteristic imperative **יָזַק** of Deut. xxxi, 6, 7, 23, is addressed to Zerubbabel, to Joshua, and to the people, combined with the statement "for I am with you" (also at I, 13). Cf. Deut. xxxi, 6, "for Jahveh thy God, he it is that doth go with thee," and xxxi, 23, "and I will be with thee." Again, the command "Fear not" addressed to Israel in Deut. xxxi, 6, and to Joshua in xxxi, 8, is also found addressed to the community and the two leaders in Haggai II, 5. Cf. further, Zechariah VIII, 9, **תִּחְזַקְכֶּנָּה יְיָ**; VIII, 13, **אֶל-יִשְׂרָאֵל תִּחְזַקְכֶּנָּה יְיָ**; VIII, 15, **אֶל-יִשְׂרָאֵל**.

Without laying any undue stress upon these coincidences, we may at least find it worthy of note that in prophetic writings dating from fifteen years after the return, and which do not otherwise reveal much contact with the book of Deuteronomy, there appears to be a certain consciousness of the Joshua sections of the book as connected with the existing circumstances. It does not seem an altogether improbable supposition, then, that these sections were added to Deuteronomy at the close of the exilic period, or at the time of the Return to the holy land, and that



here again, as in the case of IX, 7 ff., the motive of the addition was not to supply history, but to employ history for a hortatory purpose, viz., in order to strengthen the hands of those leaders who, like the traditional successor of Moses, were conducting God's people into the promised land.

The author of this Joshua redaction appears to have constructed his narrative out of three different elements, as follows :—(1) the relative portion of the historical discourse, viz., III, 18b-20 (in original form), 21, 27 ; XXXI, 2-4 ; XXXIV, 1 (partly), 2-5a, 6 : (2) a supplementary passage from JE, viz., XXXI, 14, 15, 23 (partly) ; XXXIV, 10 (and perhaps certain elements in the above verses of XXXIV) : (3) additions by himself, viz., a title or prelude now found in I, 1a, 3b-5a ; III, 28, 29 ; XXXI, 1, 5-8 ; and perhaps XXXIV, 11, 12.

(a) The possibility that III, 18b-ff. at one time constituted a short independent historical introduction to the book of Deuteronomy is at present concealed by the opening words, "And I commanded you at that time" by which it has been re-united to the foregoing narrative, on this supposition prefixed at a later period. But on removing this connecting link, and replacing it by part of the complex superscription, I, 1-5, viz., I, 1a, 3b-5a, such a possibility becomes apparent. "These are the words which Moses spake to all Israel according to all that Jahveh commanded him concerning them, after he had smitten Sihon king of the Amorites, who dwelt at Heshbon, and Og king of Bashan who dwelt in Ashtaroth in Edrei, on the other side of Jordan, in the land of Moab, (III, 18b) saying, Jahveh your God hath given you this land to possess it, etc."

The above title, which in this case must have been

rather a brief prelude written as part of the text, was designed by its mention of Moab to explain the expression "this land" in v. 18, and by its mention of Sihon and Og, the reference to these "two kings" in v. 21. It is practically a duplication of the title in IV, 45-47, which this redactor found already in its present position, but with important differences. Thus it begins "These are the *words*," in distinction to the "testimonies, statutes, and judgments" which are to follow later. Again, these "words" are stated to have been spoken by Moses "after he smote Sihon," whereas the testimonies, etc., are merely said to have been delivered "in the land of Sihon," the inference naturally being that the "words" were uttered immediately after the victory over Sihon and Og, whereas the "testimonies, etc.," were promulgated later. We have here, then, a solution of the difficulty which commentators have felt to be created by those two titles, for on this theory, their similarity in point of content is seen to be intentional, while the slight difference they exhibit, which is apt to be overlooked as of no particular importance, is found to possess a distinct significance. With reference to the first clause of this title, see further at p. 196 f.

The above-mentioned passage, I, 1a, 3b-5a; III, 18b-28, having been placed before IV, 1 ff., the *Torah* title was no longer needed, nor was it appropriate there, seeing that IV, 1 no longer formed the commencement of the work. It was therefore removed, and interwoven with the other, as we now find them in IV, 44-47, and in its place III, 29, "So we abode over against Beth-Peor" was added by the redactor at the end of his introduction, in order to give the reference to the locality required by IV, 3; IV, 46a.

On the above assumption, the passage III, 18b-20 must have undergone a revision at a later period to make it apply to "the Reubenites, the Gadites, and the half tribe of Manasseh," in connection with the interpolated verses III, 12-17,—the extended narrative of Numb. XXXII being regarded as secondary to the present form of III, 18-20. But this is on other grounds by no means an improbable supposition. An indication of the original version of III, 18b-20 still remains in the word אֲנִי with which the passage commences. In order to remove the undoubted difficulty which this word occasions as the text stands at present, a proposal has been made to read it אֲנִי. But even such an alteration leaves the application of what follows to those particular tribes surprisingly awkward. It may be suggested that the text ran originally somewhat as follows: "Jahveh your God has given you this land to possess it. Ye shall go over armed before your brethren, all of you who are men of valour. Your little ones and your cattle, however (I know that ye have much cattle), shall dwell in the cities which Jahveh hath given you, until you inherit the land which Jahveh your God hath given you on the other side of Jordan." The late narrative of Numb. XXXII, taking the revised version of the above passage as one of its sources, and discovering in v. 19b a reason for the special treatment of Reuben and Gad, commences: "Now the children of Reuben and the children of Gad had a prodigiously great multitude of cattle," and fortifies this reason by dwelling with repeated emphasis upon the stipulation that these tribes shall "go over armed" before the rest of their brethren. But these statements leave upon the mind an impression of unreality, all the more because they do not

appear to harmonise with the assumed circumstances of the nation.

In support of the above suggestion, it is to be noted in the first place that there is an extensive break in the connection of the historical discourse immediately previous to III, 18. The original text here appears to end with III, 10. At II, 34 we are told regarding Sihon's cities, "And we took all his cities at that time": and the same of Og's cities at III, 4,—the extent of the conquest in both instances being described. It is further added at III, 8, "And we took the land at that time out of the hand of the two kings of the Amorites that were beyond Jordan, from the valley of Arnon unto mount Hermon . . . all the cities of the plain, and all Gilead, and all Bashan, unto Salecah and Edrei, cities of the kingdom of Og in Bashan." It is therefore surprising to read in III, 12 once more, "And this land we took in possession at that time." Apparently this statement has been added here in order to introduce the passage dealing with the distribution of the territory to the two and a half tribes. But if we pass from III, 10 to III, 18b ff., reading the latter passage in what has been suggested as its original sense, this will be found to give an entirely satisfactory connection. Again, it is mentioned in connection with the conquest of both Sihon's and Og's territory, "the cattle we took for a prey to ourselves." It is therefore quite appropriate that Moses, addressing Israel as a whole subsequently, should say, "I know that ye have much cattle." But why Reuben and Gad should be differentiated at this period from the rest of "their brethren, the children of Israel," by the possession of "much cattle" does not appear at all, and presents a somewhat embarrassing problem,

notwithstanding the boldness with which Numb. xxxii treats it.

The apparent duplication in III, 21, 22 compared with III, 28 has led Dillmann and others to regard III, 21, 22 as a later insertion. It seems more probable, however, that these two verses belong to the historical discourse, and that v. 28, containing as it does the characteristic "strengthen and encourage," has been added by the redactor. This is confirmed by the fact that vv. 21, 22 exhibit points of contact with xxxi, 2-4, which also appears to belong to the historical discourse.

(b) The connection between III, 21-28 and xxxi, 1-8 is of so close and organic a character as to leave no room for doubt that the latter passage was inserted at the same time as the former, and in strict relation to it. Cf. III, 21, "thine eyes have seen that which Jahveh your God hath done to these two kings, so shall Jahveh do unto all the kingdoms whither ye are going over" with xxxi, 4, "And Jahveh will do to them as he did to Sihon and Og, kings of the Amorites, and to their land, whom he destroyed": III, 22, "Ye shall not fear them, for Jahveh your God, he it is that fighteth for you," with xxxi, 3, "Jahveh thy God, he will go over before thee: he will destroy these nations from before thee": III, 25, "this good mountain," with xxxi, 2, "this Jordan": III, 28, ". . . Joshua . . . for he shall go over before this people," with xxxi, 3, ". . . Joshua, he shall go over before thee, as Jahveh said," etc. We need not pursue the comparison further, but two points may be noted in what we take to be the redactor's addition, xxxi, 1, 5-8, that appear to indicate the presence of the prelude, I, 1a, 3b-5a. Thus the redactor commences, xxxi, 1, "And Moses went

and spake these words unto all Israel,"—cf. I, 1a, "These are the words which Moses spake unto all Israel." Again, in XXXI, 5 we find the clause, "according to all the commandment which I have commanded you," and in I, 3b, "according to all that Jahveh commanded him unto them."

(c) That XXXI, 14, 15, 23 formed together originally one passage taken from a non-Deuteronomic source, probably JE, is so generally recognised that it is unnecessary to recapitulate here the grounds on which this conclusion rests. The addition seems to have been made by the author of the Joshua redaction because it supplied an element not found in the Deuteronomic historical discourse. The phrase "be strong and of good courage" in v. 23 must be assumed to be from the hand of the redactor.

(d) The concluding Deuteronomic verses in XXXIV, and the elements of JE found there, were probably also added at this time, seeing that XXXI, 2, 14 prepare the way for a statement regarding the death of Moses. XXXIV, 11, 12 may perhaps date from a much later period, but there is nothing to indicate more precisely when these closing verses were added.

### § 18. Post-Exilic Additions.

- (1) I, 1\* ; I, 6—III, 10.
- (2) XXXI, 16-22, 30—XXXII, 44.
- (3) XXXIII.
- (4) XXVII, 15-25. (XXVIII, 2b-6, 16-19 transferred to present position.)
- (5) IV, 16b-18.

The addition of these sections brings the book of Deuteronomy into its present form, with the excep-

tion of certain minor passages which may be traced to P.

It does not appear possible, nor is it very important to determine in what order, or at what precise time the above elements were incorporated with Deuteronomy.

(1) The first of them was perhaps the remainder of the historical discourse, I, 6—III, 10. It has been argued above that two portions of this work had already been added to the Deuteronomic Lawbook for special hortatory purposes, and had in that process been subjected to certain alterations. It need not surprise us, therefore, if the remaining portion, or at least as much of it as has survived, which was prefixed to the book at a later period, should on the one hand fail to exhibit any very clearly consecutive connection with the elements already embodied in it, and should on the other hand afford evidence of having itself undergone considerable modification.

Thus, a number of archaeological notes, which perhaps at first originally stood on the margin of the MS., have been embodied in the text (II, 10-12, 20-23; III, 9, 11; 13b, 14; cf. also X, 6, 7).

Dillmann's ingenious theory, that this historical discourse was originally composed in ordinary narrative form (the above passages being the irreducible remnants of the narrative matter), and that it was subsequently altered into the form of a speech in order to admit of its being inserted into the book without appearing to be merely a duplicate of the history of JE, does not seem to be necessary, and is in view of the facts improbable. It is unnecessary, because there are good grounds for holding that this composition, even in its original form, was written, not so much with the object of conveying historical information, as rather in order

to inculcate certain truths through the medium of history, such as the perversity of Israel, the mediatorship of Moses, the indebtedness of Israel to the intercession of Moses. Consequently, the narrative form would not have suited the author's purpose nearly so well as that of a spoken address. Again, the suggestion is improbable in view of the facts, for, on the one hand, the personal form of the discourse is in many places so intimately bound up with the subject matter that it can hardly be conceived to be the result of a later revision. On the other hand, if it was possible at all to effect such a revision, it may safely be asserted that a reviser whose consummate skill enabled him to deal so subtly with the main parts of the work, would have proved himself quite equal to the task of transforming the remainder. Finally, these narrative passages unmistakably convey the impression of having been written as pieces of geographical and archaeological information, and stand so completely out of all organic relation to the context that we may well believe them to have been added at first as marginal notes, not intended to form part of the text at all.

An examination of this historical discourse as a whole, so far as the elements of it that remain can be reconstructed in their original form, appears to warrant the conclusions (1) that it was not composed by the author of the Book of the Covenant, (2) that, on the other hand, it was composed before the Exile. As already indicated, it was probably the first Deuteronomic work written in a strain of reproach and recrimination, preceding what may be called the minatory redaction of the Deuteronomic lawbook. It contains distinct traces of later alteration. The "Reuben, Gad, and half tribe of Manasseh" redaction has already



been dealt with. But it may further be questioned whether the most salient contrast which it exhibits to the main body of Deuteronomy does not also owe its origin to a later revision. We refer to the passages I, 35 ff., II, 14 ff., the former of which announces the impending destruction of all "these men of this evil generation," except Caleb, Joshua, and "the little ones," "the children which this day have no knowledge of good or evil," while the latter records the destruction of "all the generation of the men of war" in the course of the desert wanderings. That the view expressed here, and more fully in Numb. XIII, XIV, is contradictory to that underlying Deut. XXIX, 4, 5; VIII, 4; V, 3; XI, 2 admits of no reasonable doubt. This becomes especially evident when we consider the significance of XXIX, 4 and VIII, 4, where the writer expressly mentions the miraculous preservation of the people, without the remotest suggestion that a whole generation, or that "all the men of war" had been destroyed. Now, in examining the various portions of the historical discourse, some remarkable facts emerge in this connection. In the first place, there is no allusion to the aforesaid prophecy of destruction in IX, 8—X, 11, although from the evident purpose of this interpolation, it is just here that we might have expected to find such an allusion, had it formed part of the discourse in its original form. Kusters says, "In Deut. v-xxvi there is indeed nothing said about the destruction of all adults, but that the Deuteronomist was acquainted with the narrative is sufficiently evident from Deut. IX, 23, even apart from I-IV."<sup>1</sup> Why then, it may be asked, did he not refer to it at IX, 23? The very fact that the redactor who inserted IX, 8—X, 11

<sup>1</sup> P. 28.

into the *Misvah* went out of his way to transfer the passage IX, 22-24 to its present position, with the obvious intention of augmenting as much as possible the recriminatory matter of the section, makes this omission all the more significant. He mentions the particular circumstances in connection with which the judgment was pronounced: why does he stop short at that point, and fail to mention the judgment itself, if it was related in the source he was making use of? Such an example of providential discipline would have been exactly in the line of his references and of his argument. A single sentence would have sufficed to add what would undoubtedly have been a most appropriate climax: why then does it not appear either here or anywhere else in this section of the historical discourse? The only possible answer appears to be, that the idea did not exist in the discourse in its original form, or in the documents which formed its sources, and that this particular portion of it, having been embodied in the Lawbook at a comparatively early period, escaped the revision the results of which we now find in I, 34 ff., and II, 14 ff.

Again, when we examine I, 6—III, 10, it is evident that, apart from the statements contained in the above passages, Moses is represented as addressing the people on the assumption that they were the same people who had gone through all the varied experiences of the desert wanderings from Horeb onwards. Thus in I, 9 he says, "And I spake to you at that time, saying, I am not able to bear you myself alone." But on the footing of I, 34 ff. he should have said, "And I spake to your fathers at that time," for according to I, 39 the people he was now addressing had been "at that time" only "children which have no knowledge of good or

evil." The difficulty occasioned by this reference, no doubt, might be explained by the loose rhetorical style of the discourse. Such an explanation, however, cannot well suffice for what is said in I, 26, where Moses says to those same children, now adults, and who have only been allowed to survive, be it observed, because they did *not* share their fathers' sin of rebellion, "Yet ye would not go up, but rebelled against the commandment of Jahveh your God," v. 27, "ye murmured in your tents." Notwithstanding all the attempts that have been made to harmonise this mode of address with the view embodied in I, 34 ff., II. 14 ff., it must be said that it is difficult to conceive how a writer who had before his mind from the outset the circumstances detailed in these verses would have allowed himself to so completely ignore them. A much more probable explanation would seem to be that the discourse was originally composed on the basis of the same assumption as we find in the main sections of Deuteronomy, and that the idea of the destruction of the Horeb generation was imported into it at a later period. This supposition is corroborated by the consideration that the relative passages in Numbers either belong to P, or appear to be of late redactional origin.

The historical discourse no doubt originally possessed a title of its own, which is now incorporated in I, 1-5, and probably ran as follows,—“These are the words which Moses spake to the children of Israel on the other side of Jordan (in the desert) in the Arabah, over against Suph” (the phrase “in the desert” and the remaining words of vv. 1, 2 are apparently later expansions). We may suppose that this title, like that which, as suggested, originally stood before III, 18b, began with the phrase, “These are the words which Moses

spake unto," and that the expression "all Israel" was transferred to its position in I, 1a from its original position in v. 3b at the time the two titles were united, the expression "the children of Israel,"<sup>1</sup> which was originally in I, 1a, taking its place in v. 3b, the reason for the change being that the redactor naturally considered the phrase "all Israel" more appropriate to the commencement. While it appears impossible to identify 'Suph,' the mention of the Arabah clearly indicates that this title was intended to locate the work to which it belonged in a different place from that which the other titles assume. This is in keeping with the supposition that the historical discourse was not originally written in conjunction with the lawbook, or with the intention of being united to it.

(2) The verses XXXI, 16-22, XXXII, 44, which contain a considerable number of expressions not found elsewhere in Deuteronomy, for the most part dependent upon the language of the Song, appear to have been substantially already connected with the latter before it was taken into the Deuteronomic collection. This explains not only the linguistic difference, but also, as Kusters has remarked, why XXXI, 16-22 has been inserted between XXXI, 15, and 23, so obviously breaking the connection. If this passage had been purely the composition of the Deuteronomic redactor, like XXXI, 30, it would have been brought into a more organic relationship to the context.

To enter upon the much debated question of the date of the Song itself lies beyond the scope of this inquiry. It may be remarked, however, that the ideas and standpoint of this composition with regard to the relationship between Jahveh and Israel make it probable

<sup>1</sup> Regarding this phrase, see pp. 127 f.

that it belongs to the period subsequent to the Deuteronomic reform, and that it originated in the closing years of national decline before the Exile, if not later.

(3) There is nothing to indicate when the Blessing of Moses was inserted in the book of Deuteronomy, though it was no doubt at a time when the original purpose of the work had faded out of sight before a later conception that regarded it as a compendium of Mosaic literature. The precedent afforded by the incorporation of the Song doubtless led to its insertion. In its original form it appears to have been an ancient composition of the northern kingdom, but the passage vv. 8-12 referring to Levi exhibits a later expansion.

(4) XXVII, 14-25. The context of this passage has already been fully discussed in §13. It has been shewn that these "curses" were probably at first inserted into their present position without the responses, which were subsequently added on the model of v. 26. Their contents make it apparent that they form one of the latest elements in the book of Deuteronomy. It is indeed quite possible that they, as well as IV, 16b-18, were added subsequently to the P redaction. The reason for the insertion of these "curses" in place of the original "blessing and curse" of the lawcode, which was now transferred to its present position, is perhaps to be sought for in the circumstance that this is the only passage in Deuteronomy which reveals a certain connection with the Decalogue of chap. v, to which it may have been intended as a supplement. It is obvious that this alteration could only have taken place at a period when the original significance of Deuteronomy had been lost sight of, or at all events was treated as a negligible quantity.

(5) IV, 16b-18 (see §3).

§ 19. P Redaction.

ADDITIONS.

(1) I, 3a; xxxii, 48-52; xxxiv, 1\*, 5b, 7-9.

(2) I, 5b; III, 12-17; III, 18-20 (revision); IV, 41-43; xxix, 7bc.

(1) These small fragments of narrative matter no doubt belong to the historical account which once formed the environment of P's version of the lawgiving in Moab, and have been inserted here by the redactor who brought Deuteronomy into connection with the other books of the Pentateuch.

(2) It may have been the redactor who brought I, 1-5 into its present form, who also carried out the "Reuben Gad and half tribe of Manasseh" revision which we find represented in the above passages.

In accordance with the results arrived at in the preceding sections, we may assume that this redactor found the original title of the historical discourse, "These be the words which Moses spake to the children of Israel beyond Jordan (in the desert) in the Arabah over against Suph" in its present position at the beginning of the book, and the second title, I, 1a, 3b-5a, "These be the words which Moses spake unto all Israel according to all that Jahveh had given him in commandment unto them, after he had smitten Sihon, king of the Amorites, who dwelt in Heshbon, and Og, king of Bashan, who dwelt in Ash-taroath, in Edrei, beyond Jordan, in the land of Moab," standing before III, 18b. Having removed the latter title, and united the two portions of the historical discourse by the insertion of III, 12-17, and the

revision of III, 18-20, he combined the two titles in I, 1-5, transferring the phrase "all Israel" from the second to the first. But in order to bring about this combination, it was necessary to make certain additions, and accordingly he inserted a part of P's title (I, 3a), and added himself v. 5b, "began Moses to declare this law." The topographical details in I, 1b, 2, and the expression "in the desert" of v. 1, are apparently secondary additions.

In IV, 41-43 the phrases "for the Reubenites," "for the Gadites," "for the Manassites," may perhaps have been added at a date subsequent to the insertion of the rest of the passage, which in any case must have been interpolated after the completion of the combined law-book, and by a writer who had XIX, 1 ff. in view.

#### § 20. Conclusion.

In accordance with the results reached in the preceding pages, the history of the original Deuteronomy may be briefly sketched as follows.

During the first part of Josiah's reign, the heathen forms of worship inherited from the time of Manasseh, continued to exist alongside of the worship of Jahveh, and even to maintain their hold upon the official heads of the nation and upon the public services of the temple. This is clear from the description of the list of things that were destroyed when the reformation was ultimately accomplished (2 Kings XXIII),—a description which has every appearance of being founded on contemporary records. It is, indeed, one of the most astonishing facts in connection with this narrative, that even after Josiah had reigned for more than seventeen years, such a state of matters as we

find there depicted should have prevailed in the very temple itself. And yet he is represented as having been from the first a devout adherent of Jahveh. This apparent contradiction can only be explained by the supposition that at the time of Josiah's accession to the throne, and for long afterwards, the whole real power of the government and the authoritative direction of the national worship lay in the hands of those who were the representatives of that system of religious syncretism which had prevailed during the previous reign. At the same time there must have existed from the very commencement of Josiah's reign a group of men who, while possibly themselves associated to some extent with public life, understood very well what the true religion of Israel was, and were profoundly devoted to the lofty purpose of securing its restoration as the exclusive national faith, and consequently of effecting the abolition of those heathen elements by which it had been so largely overgrown. Like other reformers, however, they had to undertake first of all a great work of preparation, and it can hardly be doubted that the success of the reform movement in Josiah's eighteenth year was owing chiefly to the fact that the Deuteronomic party, as we may call them, had been toiling unceasingly, though privately, to bring about the dawn of a better day for Israel. That such a long period of silent preparation was necessary, need not surprise us when we consider the desolating thoroughness with which Manasseh appears to have carried out his work of apostasy, and the fact that when Josiah mounted the throne, he was but a child. In view of the latter fact, indeed, it may be assumed that the death of Manasseh caused little actual change in the character of the national worship.



As we contemplate in the light of the disclosures of 2 Kings XXIII, the task that lay before the reform party, we can see that it was a herculean one, the cleansing of a veritable Augean stable. In view of the formidable array of official power, vested interests, inured habits, and other influences, it might well have seemed hopeless to any enthusiasts except those who were inspired by a truly divine faith. It is not likely that the reformers were to any great extent of the priestly class, which for the most part was no doubt bound up with the existing state of things. It is among the survivors of the prophets that we have to look for them, and from the internal evidence of the Deuteronomic Book of the Covenant, it is abundantly clear that its author was one of their number.

When we consider the circumstances in which that epoch-making work was composed, there can be no doubt as to what was the great issue that must have overshadowed everything else. The worship of Jahveh, though nominally recognised as the national faith, only existed in reality on a level with heathen cults that were abhorrent to its very nature. The worship of 'false gods' prevailed everywhere throughout the land, and even where Jahveh was worshipped, it was largely under material forms. In these circumstances it was not, we may be sure, the centralisation of the cultus at Jerusalem that occurred to the reforming party as the first necessary step. There was a vital previous question to be settled, viz., whether the nation was going to decide for the worship of Jahveh in all its purity as against those debased forms of superstition the very tolerance of which essentially contradicted its fundamental principles. The question of new loyalty or continued disloyalty to Jahveh, the God of Israel,

was the first, and incalculably the most important issue at stake.

This, therefore, was the keynote of the first reforming document. Finding his starting point, perhaps, in a tradition that the Covenant made at Horeb between Jahveh and Israel had been renewed by Moses just before the nation entered the promised land, the author of the original Deuteronomy couched his great appeal in the form of the Book of the Covenant in Moab. The plan of this work, as reconstructed in the foregoing pages, is a very simple one, and lies on its surface. Moses begins by announcing that Israel, having now arrived at the borders of the promised land, is about to enter into a Covenant of mutual fidelity with Jahveh, that He might establish them that day for a people unto Himself, and that He might be unto them a God, as He had said unto them, and as He had sworn unto their fathers, a Covenant which was to embrace both young and old, all classes of the community, and posterity as well. He then proceeds to remind them of what is implied in the reference 'as Jahveh had said unto them.' For Jahveh had not only made a Covenant with their forefathers, but once already with themselves also,—“Jahveh made a Covenant with us in Horeb.” He reminds them what had been the general purpose of that revelation, viz., that they might learn to fear Jahveh all the days they should live upon the earth, and that they should teach their children. Having briefly described how Jahveh spoke to them out of the midst of the fire, and how He announced His Covenant to them, the ten words, and wrote them upon two tables of stone, Moses mentions that a special duty had been laid upon him personally at that time by Jahveh, Who had 'commanded him to teach' the people, in order

that they might act accordingly in the land whither they were going to possess it.

Before passing from the topic of the Horeb Covenant, however, he emphasises one great lesson to be learned from the mode of the divine revelation on that occasion. They had heard a voice, but they had not seen any form. Therefore it was wrong to make to themselves a graven image of any form, or indeed to worship any material object at all, even such as the heavenly bodies. Even these were but Jahveh's creatures, which He had apportioned as objects of worship to all the other nations under the heavens, whereas Israel had been brought out of Egypt by Jahveh for the very purpose of standing towards Him in a special relationship, as a people of inheritance, a relationship which was on 'that day' in process of being ratified. All the more then were they to guard against such an absolute breach of the Covenant as was implied in the sin of idolatry, for Jahveh was a jealous God. Moses then mentions that he himself is not to pass over the Jordan, but is to die in Moab, and closes this reference to the Horeb Covenant by 'testifying' that if they were guilty of idolatry, Jahveh would utterly destroy them, and correspondingly exhorting them to obedience and loyalty, in order that they might live and prolong their days upon the land which they were about to possess.

Having thus led up to his main theme, the prophetic writer begins the grand discourse which forms the purport of the Covenant in Moab, and which he formally entitles "The Commandment." The epoch-making declaration with which he opens it, "Hear, O Israel, Jahveh our God is one Jahveh; and thou shalt love Jahveh thy God with all thy heart, and with all thy soul, and with all thy might," forms at once the

consummation of his previous argument, and the text of all he has yet to say. His heart is full of that sublime revelation of positive truth, the record of which even now, and surely for all time, looms up out of the past as one of the greatest landmarks in the religious history of mankind. Let us endeavour to realise, if we can, what exalted feelings it must have awakened, what thrilling spiritual experiences must have accompanied its disclosure in the minds of those to whom it was a new thing, the 'creative word of a new era of religious thought and life. Is it to be wondered at that this first expounder of its inexhaustible significance for the soul of man should repeat it again and again, in manifold combinations, and yet ever return to it in its absolute form, just as a great musical composer who has lighted upon some simple but profound theme, never tires of drawing it out through mystic mazes of sweet sound, and yet ever and anon allows it to peal forth again in its own simple majesty? He is indeed a man of one or two ideas, this author of the Book of the Covenant, but they are ideas that have transformed the world, and are still transforming it, for the 'Commandment' which he thus announces is, in the words of our Lord Himself, 'the first Commandment of all,' it is the supreme message of Israel to mankind.

As already indicated there is a continuous line of argument clearly discernible between this discourse and what has preceded it. Unlike those heathen deities which, worshipped under different 'forms,' became practically so many different gods: unlike the hosts of heaven, which as His creatures Jahveh had 'divided' to the various other nations, Jahveh Himself, Israel's God, is One and Indivisible. Again, Israel had been

taught at Horeb to 'fear Jahveh,' but this renewal of the Covenant has in addition brought with it a new Commandment, "to love Jahveh thy God, with all thy heart, and with all thy soul, and with all thy might." The ten words of the Horeb covenant had been written upon tables of stone, but "these words which I command thee this day shall be upon thine heart." The former brief command to teach their children is reinforced by the emphatic injunction, "Thou shalt teach them diligently unto thy children, and shalt talk of them when thou sittest within thine house, and when thou walkest by the way, and when thou liest down, and when thou risest up," and also by the provision for instructing the youthful Israelites in the 'testimony' which Jahveh had spoken to the people. Finally, in view of Israel's actual arrival in the promised land, the command referring to idolatry is extended in two stages,—first, "ye shall not go after other gods of the gods of the peoples which are round about you" (VI, 14); secondly, when Jahveh shall have delivered those peoples into the hand of Israel, "Ye shall destroy their altars, and break in pieces their *masseboth*, and cut down their *asherahs*, and burn their graven images with fire" (VII, 5).

In the closing verses of this first section of the discourse, the fundamental idea of the Covenant, viz., Israel's special possession by Jahveh, which has already been twice referred to (XXIX, 11; IV, 20) is again repeated, "For thou art an holy nation unto Jahveh thy God, Jahveh thy God hath chosen thee to be a special people unto himself, above all the peoples that are upon the face of the earth" (VII, 6).

This leads the writer, then, to deal in the next place with the subject of the continuance of the divine bless-

ing to Israel in connection with the possession of the land of Canaan. If the nation is faithful to Jahveh, He will bless them, make the land fruitful, cause them to be prosperous in all their undertakings, and destroy their enemies before them. But they must not allow this very success and prosperity to make them proud, or to lead them to forget Him who is the source of it all. And in the first place, they must continually recognise that the fruits of the land, and all material prosperity and riches in connection with its possession, come from Jahveh. Let them in this connection reflect upon the divine discipline of the desert wanderings. In contrast to that period of trial and privation, Jahveh has brought them into a fruitful land, but do not let them say that it was their own power that 'got them all this wealth.' For the source of it all is Jahveh alone, and they must ever make acknowledgment of this, "When thou hast eaten and art full, then thou shalt bless Jahveh thy God for the good land which he hath given thee" (VIII, 10). To keep them in mind of their dependence upon Jahveh's blessing in connection with the gift of the land, a simple liturgical rite is appointed, and the duty of generosity to the poor is inculcated, concluding with a petition to Jahveh corresponding to the above invocation, "Look down from thy holy habitation, and bless thy people Israel, and the land which thou hast given us, as thou swarest unto our fathers, a land flowing with milk and honey" (XXVI, 15). This section also closes with a solemn reference to the fundamental obligation of the covenant, now in process of being ratified, "Thou hast made Jahveh promise this day to be unto thee a God, and Jahveh hath made thee promise this day to be a people of special possession unto him." But if

Israel forgets this and worships other gods, then "as the nations which Jahveh destroyeth before your face so shall ye perish" (VIII, 19, 20).

This solemn announcement, with its dependent warning, is followed by a reference to the impending crossing of the Jordan, and the prospect which lies before the chosen people of encountering nations greater and more powerful than themselves. They are not to be afraid of those nations, for Jahveh will destroy them. But after that has taken place, Israel is not to think that it was on account of his own righteousness that they were destroyed, whereas it was on account of the wickedness of those nations. Israel is not to become lifted up with the false idea that Jahveh's special care and love belong to him as a matter of right, and have been deserved or earned by him on account of his righteousness. For Israel is 'a stiffnecked people.' But why should the perversities of the past be repeated in the future? Are the divine commands difficult or burdensome, or hard to understand? By no means: there is but one thing needful, loyalty to Jahveh's Covenant, expressing itself in obedience to these injunctions which constitute the latter's conditions,—“And now, Israel, what doth Jahveh thy God require of thee, but to fear Jahveh thy God, to walk in all his ways, and to love him, and to serve Jahveh thy God with all thy heart and with all thy soul, to keep the Commandment of Jahveh which I am commanding thee this day, for thy good.”

Having recorded the appointment of a solemn national act of worship to be performed as soon as the Jordan has been crossed, by which the chosen people should at once give thanks for having reached the promised land, and afford a pledge of their

loyalty to Jahveh with a view to their continued possession of it, the writer summarises his observations, returning (XI, 18 ff.) to the keynote of chap. VI. He then concludes his discourse by the announcement of a blessing and a curse, which are to follow upon the obedience or disobedience of Israel respectively, and the substance of which he expounds in detail, closing with a most eloquent and moving peroration (XXX, 11-20) where he concentrates all his leading ideas in a last appeal.

The passage which appears to have formed the epilogue of the work records the fact that Moses "wrote these words," and describes the actual solemnisation of the covenant, concluding with a final word of 'testifying,' which, like the opening sentence of the Book, is addressed to "all Israel."

It has been assumed as the basis of this inquiry that the original Deuteronomy was first published in the eighteenth year of Josiah's reign. The results arrived at do not appear to contradict this assumption, which finds its chief support in the circumstance that the influence of the work, so evident in contemporary and subsequent literature, is nowhere visible in the literature preceding that period. The further question of the date of its composition, however, still remains to a certain extent open. On the one hand, its leading conceptions probably exclude the age of Hezekiah, while the whole character and tone of the work make it difficult to suppose that it could have been written in the reign of Manasseh. On the other hand, if the reconstruction of its contents here suggested be substantially accepted, it is evident that the difference in the point of view which it exhibits as compared with the Lawcode is greater than might be expected on the supposition that



they were composed within a very short time of each other. This difference may perhaps be most reasonably explained by the supposition that the Book of the Covenant was written at or near the beginning of Josiah's reign, but that the force of circumstances prevented it being made the basis of a practical reform then, and that it was laid aside, to fulfil its destiny at a later period. Thus the difference in question would represent not only the change brought about by the actual revolution, but also to a certain extent the development in the views of the reforming party during the interval referred to.

This reform appeal having effected its purpose, the need for a new code of laws suited to the altered circumstances of the national life would soon make itself felt. Hence it is probable that a comparatively short time only intervened between the publication of the Book of the Covenant and that of the Lawcode. The form in which we find the laws bears witness to the circumstances in which they were drawn up. Though they are largely founded upon the code of Exod. XXI-XXIII, they exhibit none of the systematic arrangement and classification which, as may be still discerned, at one time distinguished that code. On the contrary, there is a certain confusion of topics and looseness of phraseology in places that seems to indicate haste. The consciousness of authority is manifest everywhere, and there is an entire absence of such appeals to the nation as we find in VI-XI, but it is this very attitude that makes the form, or rather the formlessness of the lawcode so surprising. The explanation is probably to be found in the circumstance that the immediate practical necessity for some authoritative body of

laws allowed no time for their being systematically adjusted. This may also explain the apparent duplication, or partial duplication, of certain laws, which has led some scholars to assume the existence of two editions subsequently welded into one. Had the contents of the lawcode been subjected to any such leisurely process, we may safely assume that they would have come down to us in a more systematic form. As it is, the Deuteronomic *Torah* has all the appearance of a collection of legislative enactments which there was no time to arrange methodically before publication. That they were not systematised subsequently, may be explained by the consideration that from the moment of its promulgation, the lawcode would doubtless come into constant practical use, and would accordingly become as regards its form more of a fixed quantity than other portions of Deuteronomy. That it was added to from time to time, is highly probable, but it does not appear to have ever undergone a general recasting.

This Lawcode, or *Torah*, then, was at first published as a self-contained sequel to the Book of the Covenant, complete in itself, with a suitable prologue and epilogue, and took account of the existence of the earlier work.

The connection between the various passages which we conclude to have constituted its original environment, speaks for itself, and need not be further dwelt upon. This environment, like the code it surrounds, exhibits the priestly aspect of the Deuteronomic reform literature. While it is to some extent modelled upon the Book of the Covenant, a comparison between the two well illustrates their different standpoints. Thus the ideal blessing and curse of the earlier

prophetic work here appears in the form of a transaction carried out with appropriate ritual under Levitical direction and management. Again, Moses "wrote this *Torah*," but "delivered it unto the priests the sons of Levi who bare the ark of the covenant of Jahveh, and unto all the elders of Israel," with due provision for its being read once in seven years, "in the set time of the year of release, in the feast of tabernacles."

It is unnecessary to repeat here the suggested literary history of the various editions of the combined work, as this has already been given in a summarised form under the relative sections.

## APPENDIX.

### I.

#### THE BOOK OF THE COVENANT IN MOAB (THE ORIGINAL DEUTERONOMY).

These are the words of the Covenant, which Jahveh commanded Moses to make with the children of Israel in the land of Moab, beside the Covenant which he made with them in Horeb.

Deut.  
xxviii, 69

And Moses called unto all Israel and said unto them, xxix, 1  
Ye have seen all that Jahveh did before your eyes in the land of Egypt unto Pharaoh, and unto all his servants, and unto all his land, the great temptations 2  
which thine eyes saw, the signs, and those great wonders. But Jahveh hath not given unto you an 3  
heart to know, or eyes to see or ears to hear, unto this day. And I have led you forty years in the wilder- 4  
ness: your clothes have not worn away from off you, nor has thy shoe worn away from off thy foot: ye 5  
have not eaten bread, neither have ye drunk wine or strong drink; in order that ye might know that "I am Jahveh your God." And when ye came unto this place, Sihon the king of Heshbon, and Og the king of Bashan, came out against us to war, and we smote them, and took their land. Keep therefore the words 72, 8

of this Covenant and do them, in order that ye may deal successfully with all that ye do.

Deut.  
xxix, 9

Ye are stationed this day all of you before Jahveh your God: your heads, your tribes, your elders, and  
 10 your officers, even all the men of Israel: your little ones, your wives, and thy stranger that is in the midst of thy camps, from the gatherer of thy wood unto the  
 11 drawer of thy water: that thou shouldest enter into the Covenant of Jahveh thy God, and into his oath, which  
 12 Jahveh thy God maketh with thee this day: that he may establish thee this day unto himself for a people, and that he may be unto thee for a God, as he spake unto thee, and as he sware unto thy fathers, to  
 13 Abraham, to Isaac, and to Jacob. And not with you only do I make this Covenant and this oath, but with  
 14 him that is standing here with us this day before Jahveh our God, and also with him that is not here with us this day.

v, 2  
iv, 106

Jahveh our God made with us a Covenant in Horeb, in that Jahveh said unto me, Assemble me the people, that I may make them hear my words, so that they may learn to fear me all the days that they live upon the earth, and that they may teach their children.  
 11 And ye came near and stood under the mountain: and the mountain burned with fire unto the heart of the  
 12 heavens, with darkness, cloud, and thick darkness. And Jahveh spake unto you out of the midst of the fire: a sound of words ye heard, but no form did ye see,—only  
 13 a sound. And he declared unto you his Covenant, which he commanded you to perform, the ten words,  
 14 and he wrote them upon two tables of stone. And as for me, Jahveh commanded me at that time to teach you, that ye might give performance in the land  
 15 whither ye are passing over to possess it. Take ye

therefore good heed unto yourselves, for ye did not see any form on the day that Jahveh spake unto you in Horeb out of the midst of the fire, lest ye act corruptly, and make to yourselves a graven image of a form of anything, and lest thou lift up thine eyes unto the heavens; and when thou seest the sun and the moon and the stars, even all the host of heaven, thou be drawn away and worship them and serve them, which Jahveh thy God hath divided unto all the peoples under the whole heaven. Whereas you hath Jahveh taken, and brought you forth out of the iron furnace, even out of Egypt, to be unto him a people of inheritance, as at this day.

Deut.  
iv, 16a

Moreover Jahveh was angry with me on your account, and sware that I should not pass over the Jordan, and that I should not come unto the good land which Jahveh thy God is giving thee for an inheritance. For I am going to die in this land; I shall not pass over the Jordan. But ye are going to pass over, and shall possess that good land. Take heed unto yourselves lest ye forget the Covenant of Jahveh your God, which he made with you, and make you a graven image of a form of anything; for Jahveh thy God, he is a devouring fire, a jealous God.

When thou shalt beget sons and sons' sons, and ye shall have been long settled in the land, and shall corrupt yourselves and make a graven image of a form of anything, and shall do that which is evil in the sight of Jahveh thy God to grieve him: I call heaven and earth to witness against you this day that ye shall surely perish quickly from off the land whither ye are passing over the Jordan to possess it: ye shall not prolong your days upon it, but shall surely be destroyed.

Ye shall observe to do therefore as Jahveh your God

v, 29

**Dent.**  
**v, 30** hath commanded you : ye shall not turn aside to the right hand or to the left. In all the way that Jahveh your God hath commanded you shall ye walk, in order that ye may live, and that it may be well with you, and that ye may prolong your days in the land which ye shall possess.

**v, 1** Now this is the Commandment which Jahveh your God hath commanded to teach you, to give performance  
 2 in the land whither ye are passing over to possess it, in order that thou mayest fear Jahveh thy God, thou and thy son, and thy son's son, all the days of thy life, and in order that thy days may be prolonged.

3 Hear therefore, O Israel, and observe to give performance, so that it may be well with thee, and that ye may increase mightily, as Jahveh the God of thy fathers said unto thee, in a land flowing with milk and honey.

4, 5 Hear, O Israel, Jahveh our God is One Jahveh : and thou shalt love Jahveh thy God with all thine heart,  
 6 and with all thy soul, and with all thy might. And these words which I command thee this day shall be  
 7 upon thine heart : and thou shalt teach them diligently unto thy children, and shalt talk of them when thou sittest in thine house, and when thou walkest by the way, and when thou liest down, and when thou risest  
 8 up. And thou shalt bind them for a sign upon thine hand, and they shall be for frontlets between thine eyes.  
 9 And thou shalt write them upon the door-posts of thy house, and upon thy gates.

10 And it shall be, when Jahveh thy God bringeth thee unto the land which he sware unto thy fathers, to Abraham to Isaac and to Jacob, to give thee :  
 11 great and goodly cities which thou buildest not, and houses full of all good things, which thou filledst

not, and cisterns hewn out which thou hewedst not, vineyards and olive trees which thou plantedst not, and thou shalt eat and be full: then beware lest thou forget Jahveh, who brought thee forth out of the land of Egypt, out of the house of bondage. Jahveh thy God shalt thou fear, and him shalt thou <sup>Deut.</sup> <sup>vi, 12</sup> serve, and by his name shalt thou swear. Ye shall not go after other gods, of the gods of the peoples which are round about you: for a jealous God is Jahveh thy God in the midst of thee: lest the anger of Jahveh thy God be kindled against thee, and he destroy thee from off the face of the ground. Ye shall not tempt Jahveh your God as ye tempted him in Massah. Ye shall surely keep the Commandment of Jahveh your God which he hath commanded thee, and thou shalt do that which is upright and good in the sight of Jahveh, in order that it may be well with thee, and that thou mayest come and possess the good land which Jahveh sware unto thy fathers, to thrust out all thine enemies from before thee, as Jahveh hath spoken.

When thy son shall ask thee in time to come, saying, What is the testimony which Jahveh our God commanded you? then thou shalt say unto thy son, We were bondmen to Pharaoh in Egypt, and Jahveh brought us out of Egypt with a strong hand: and Jahveh put signs and wonders, great and sore, upon Egypt, upon Pharaoh, and upon all his house, before our eyes: and he brought us out from thence, in order that he might bring us hither to give us the land which he sware unto our fathers. And Jahveh commanded us to fear Jahveh our God, for our good always, that he might preserve us alive, as at this day: and it shall be righteousness unto us,



if we observe to do all this Commandment before Jahveh our God, as he hath commanded us.

Deut.  
vii, 1

When Jahveh thy God shall bring thee into the land whither thou comest to possess it, and shall cast out many nations before thee, the Hittite, and the Girgashite, and the Amorite, and the Canaanite, and the Perizzite, and the Hivite, and the Jebusite, seven nations greater and mightier than thou: and when Jahveh thy God shall deliver them up before thee, and thou shalt smite them: then thou shalt surely destroy them: thou shalt not make a covenant with them, and thou shalt not have mercy upon them: neither shalt thou intermarry with them: thy daughter thou shalt not give unto his son, nor his daughter shalt thou take unto thy son. For he will turn away thy son from after me, that they may serve other gods: so will the anger of Jahveh be kindled against you, and he will destroy thee quickly. But thus shall ye do unto them: ye shall break down their altars, and dash in pieces their *massèboth*, and hew down their *asherim*, and burn their graven images with fire. For an holy people art thou unto Jahveh thy God: thee hath Jahveh thy God chosen to be to him a people of special possession from among all the peoples which are upon the face of the ground. Not because ye were more numerous than all other peoples did Jahveh set his love upon you, for ye were the fewest of all peoples: but because Jahveh loved you, and because he would keep the oath which he swore unto your fathers, hath Jahveh brought you out with a strong hand, and redeemed you out of the house of bondage, from the hand of Pharaoh king of Egypt. Know therefore that Jahveh thy God, he is the God, the faithful God, who keepeth the

Covenant and mercy towards them that love him, and that keep his Commandment, to a thousand generations, and repayeth them that hate him to their face, to destroy them: he will not be slack towards him that hateth him: he will repay him to his face. And if thou keep the Commandment which I command thee this day, then Jahveh thy God will keep towards thee the Covenant and the mercy which he sware unto thy fathers, and he will love thee and bless thee and multiply thee: and he will bless the fruit of thy body, and the fruit of thy ground, thy corn, and thy wine, and thine oil, the increase of thy kine, and the young of thy flock, in the land which he sware unto thy fathers to give thee. Blessed shalt thou be above all peoples: there shall not be male or female barren among you or among your cattle. And Jahveh will take away from thee all sickness: and he will lay none of the evil diseases of Egypt, which thou knowest, upon thee, but will put them upon all them that hate thee. And thou shalt consume all the peoples which Jahveh thy God giveth thee: thine eye shall not pity them. And thou shalt not serve their gods, for that will be a snare unto thee.

Deut.  
vii, 10

11

12b

13

14

15

16

If thou shalt say in thine heart, These nations are more numerous than I am, how shall I be able to dispossess them? thou shalt not be afraid of them: thou shalt well remember what Jahveh thy God did unto Pharaoh, and unto all Egypt, the great temptations which thine eyes saw, and the signs, and the wonders, and the strong hand, and the stretched out arm, whereby Jahveh thy God brought thee out: so shall Jahveh thy God do unto all the peoples of whom thou art afraid. And the hornet, too, will

17

18

19

20

Jahveh thy God send among them, until they that are left, and that hide themselves from thee, perish. Thou shalt not be affrighted at them, for Jahveh thy God is in the midst of thee, a God great and terrible. And Jahveh thy God will cast out those nations before thee by little and little: thou mayest not consume them quickly, lest the beasts of the field increase upon thee. But Jahveh thy God shall deliver them up before thee, and shall discomfit them with a great discomfiture until they be destroyed. And he shall deliver their kings into thine hand, and thou shalt make their name to perish from under the heavens: no man shall maintain a stand before thee, until thou have destroyed them. The graven images of their gods shall ye burn with fire: thou shalt not covet the silver or the gold that is on them, nor take it unto thee, lest thou be ensnared by it: for it is an abomination to Jahveh thy God: and thou shalt not bring an abomination into thine house, and become a devoted thing like unto it: thou shalt utterly detest it, and thou shalt utterly abhor it: for it is a devoted thing.

viii, 1 All the Commandment which I am commanding thee this day shall ye observe to do, that ye may live and multiply, and come and possess the land which Jahveh sware unto your fathers. And thou shalt remember all the way which Jahveh thy God hath led thee these forty years in the wilderness, in order that he might humble thee, to prove thee, to know what was in thine heart, whether thou wouldest keep his Commandment or no. And he humbled thee, and caused thee to hunger, and fed thee with manna which thou knewest not, neither did thy fathers know, in order that he might make thee to know that

not by bread only doth man live, but by everything that proceedeth out of the mouth of Jahveh doth man live. Thy clothing hath not worn away from off thee, neither hath thy foot swelled, these forty years. And <sup>5</sup> thou shalt consider in thine heart that as a man chasteneth his son, so Jahveh thy God chasteneth thee. Thou shalt therefore keep the Commandment <sup>6</sup> of Jahveh thy God, to walk in his ways, and to fear him. For Jahveh thy God is bringing thee unto a <sup>7</sup> good land, a land of brooks of water, of fountains and depths, springing forth in valleys and hills: a land of <sup>8</sup> wheat and barley, and vines and fig trees and pomegranates, a land of oil olives and honey: a land wherein <sup>9</sup> thou shalt eat bread without scarceness, thou shalt not lack anything in it: a land whose stones are iron, and out of whose hills thou mayest dig brass. When <sup>10</sup> therefore thou shalt eat and be full, thou shalt bless Jahveh thy God for the good land which he hath given thee.

Deut.  
VIII, 4

Beware lest thou forget Jahveh thy God in not <sup>11</sup> keeping his Commandment, which I command thee this day, lest when thou hast eaten and art full, and <sup>12</sup> hast built goodly houses and dwelt therein; and when <sup>13</sup> thy herds and thy flocks multiply, and silver and gold is multiplied unto thee, and all that thou hast is multiplied: then thine heart be lifted up, and thou forget <sup>14</sup> Jahveh thy God, who brought thee forth out of the land of Egypt, out of the house of bondage: who led thee <sup>15</sup> through the great and terrible wilderness, wherein were fiery serpents and scorpions, and thirsty ground where was no water: who brought thee forth water out of the flinty rock: who fed thee in the wilderness with <sup>16</sup> manna, which thy fathers knew not: in order that he might humble thee, and that he might prove

Deut.  
viii, 17

thee, to do thee good at thy latter end: and thou say in thine heart, My power and the might of my hand hath gotten me this wealth. But thou shalt remember Jahveh thy God, for it is he that giveth thee power to get wealth: that he may establish his Covenant which he sware unto thy fathers, as at this day.

xxvi, 1

And it shall be, when thou art come unto the land which Jahveh thy God is giving thee for an inheritance, and shalt possess it, and dwell in it: that thou shalt take of the first of all the fruit of the ground which thou shalt bring in from thy land which Jahveh thy God giveth thee, and shalt place it in a basket, and shalt come unto the altar of Jahveh thy God. And thou shalt proceed to say before Jahveh thy God, I declare this day that I am come unto the land which Jahveh sware unto our fathers to give us. A Syrian ready to perish was my father, and he went down into Egypt, and sojourned there few in number, and he became there a nation, great, mighty, and populous. And the Egyptians evil entreated us, and afflicted us, and laid upon us hard bondage. And we cried unto Jahveh, the God of our fathers, and Jahveh hearkened unto our voice, and saw our affliction, and our toil, and our oppression. And Jahveh brought us forth out of Egypt with a strong hand, and with an outstretched arm, and with great terribleness, and with signs, and with wonders: and he hath brought us unto this place, and hath given us this land, a land flowing with milk and honey. And now, behold, I have brought the first of the fruit of the ground which thou, Jahveh, hast given me. And thou shalt set it down before Jahveh thy God, and shalt worship before Jahveh thy God: and thou shalt rejoice in all the good which Jahveh thy God

hath given to thee and to thy house, thou, and the stranger which is in the midst of thee.

When thou hast made an end of tithing all the tithe <sup>Deut. xxvi, 12</sup> of thine increase in the third year, the year of tithing, then thou shalt give it unto the stranger, to the fatherless, and to the widow, that they may eat within thy gates and be filled: and thou shalt say before Jahveh <sup>13</sup> thy God, I have put away the hallowed things out of my house, and also have given them to the stranger, to the fatherless, and to the widow, according to all thy Commandment which thou hast commanded me; I have not transgressed all thy Commandment, and I have not forgotten. I have not eaten thereof in my <sup>14</sup> mourning, neither have I put away thereof, being unclean, nor given thereof for the dead. I have hearkened to the voice of Jahveh my God: I have done according to all that thou hast commanded me. Look down from thy holy habitation, from heaven, <sup>15</sup> and bless thy people Israel, and the ground which thou hast given us, as thou swarest unto our fathers, a land flowing with milk and honey.

Thou hast made Jahveh promise this day to be to <sup>17, 19\*</sup> thee for a God, and to set thee for a praise, and for a name, and for an honour: and Jahveh hath made thee <sup>18, 19\*</sup> promise this day to be to him for a people of special possession, as he hath said unto thee, and to walk in his ways, and to hearken unto his voice, and to be an holy people unto Jahveh thy God.

But it shall be, if thou shalt at all forget Jahveh thy <sup>viii, 19</sup> God, and walk after other gods, and serve them, and worship them, I testify against you this day that ye shall surely perish. As the nations which Jahveh maketh to <sup>20</sup> perish before you, so shall ye perish, because ye would not hearken unto the voice of Jahveh your God.

Deut.  
ix, 1

Hear, O Israel, thou art passing over the Jordan this day to come to possess nations greater and mightier than thyself, cities great and fenced up to the heavens, a people great and tall, the sons of the Anakim, whom thou knowest, and of whom thou hast heard say, Who can stand before the sons of Anak? Know, therefore, this day that Jahveh thy God, he is passing over before thee, a devouring fire; he himself shall destroy them, and he himself shall bring them down before thee: so shalt thou dispossess them, and make them to perish quickly, as Jahveh hath spoken unto thee. Say not in thine heart, after that Jahveh thy God hath thrust them out from before thee, For my righteousness Jahveh hath brought me to possess this land, whereas for the wickedness of these nations Jahveh doth drive them out from before thee. Not for thy righteousness, nor for the uprightness of thy heart dost thou come to possess their land: but for the wickedness of these nations Jahveh thy God doth drive them out from before thee, and that he may establish the word which Jahveh swore unto thy fathers, to Abraham, to Isaac, and to Jacob. Know therefore that not for thy righteousness doth Jahveh thy God give thee this good land to possess it, for thou art a stiffnecked people.

x, 12

And now Israel, what doth Jahveh thy God require of thee, but to fear Jahveh thy God, to walk in all his ways, and to love him, and to serve Jahveh thy God with all thy heart and with all thy soul: to keep the Commandment of Jahveh, which I command thee this day, for thy good? Behold, unto Jahveh thy God belongeth the heaven, and the heaven of heavens, the earth, and all that is therein. Only Jahveh had a delight in thy fathers to love them, and he chose their

seed after them, even you above all peoples, as at this day. Circumcise therefore the foreskin of your heart, Deut.  
x, 16 and be no more stiffnecked. For Jahveh your God, 17 he is the God of gods, and the Lord of lords, the great God, the mighty, and the terrible, who regardeth not persons, nor taketh a bribe, executing judgment for the 18 fatherless and widow, and loving the stranger, to give him food and raiment. Love ye therefore the stranger, 19 for ye were strangers in the land of Egypt.

Jahveh thy God shalt thou fear, him shalt thou 20 serve, and to him shalt thou cleave, and by his name shalt thou swear. He is thy praise, and he is thy God, 21 who hath done for thee these great and terrible things which thine eyes have seen.

Keep all the Commandment which I command you xxvii, 16 this day, that thou mayest come unto the land which 36 Jahveh thy God giveth thee, a land flowing with milk and honey, as Jahveh the God of thy fathers said unto thee.

And it shall be, that when ye pass over the Jordan, 44 ye shall set up . . . and thou shalt build there an 5 altar to Jahveh thy God, an altar of stones: thou shalt not lift up iron upon them: of unhewn stones shalt 6 thou build the altar of Jahveh thy God: and thou shalt offer upon it burnt-offerings to Jahveh thy God, and thou shalt sacrifice peace offerings. And thou 7 shalt eat there, and thou shalt rejoice before Jahveh thy God. And ye shall keep all the Commandment xi, 8 which I command thee this day, in order that ye may be strong, and come and possess the land whither ye are passing over to possess it, and that ye may 9 prolong your days upon the land which Jahveh sware unto your fathers to give to them and to their seed, a land flowing with milk and honey.



Deut.  
xi, 10

- For the land whither thou comest to possess it, is not as the land of Egypt, whence ye came out, where thou sowedst thy seed, and wateredst it with thy foot, as a garden of herbs: but the land whither ye are passing over to possess it is a land of hills and valleys, and drinketh water of the rain of heaven: a land which Jahveh thy God watcheth: continually are the eyes of Jahveh thy God upon it, from the beginning of the year even unto the end of the year.
- And it shall be, if ye shall diligently hearken unto my Commandment, which I command you this day, to love Jahveh your God, and to serve him with all your heart, and with all your soul, that I will give the rain of your land in its season, the former rain and the latter rain, that thou mayest gather in thy corn, and thy wine, and thine oil. And I will give grass in thy fields for thy cattle, that thou mayest eat and be full.
- Take heed to yourselves lest your heart be deceived, and ye turn aside, and serve other gods, and worship them: and the anger of Jahveh be kindled against you, and he shut up the heaven, so that there shall be no rain, and that the land shall not yield her fruit: and ye shall perish quickly from off the good land which Jahveh giveth you. Ye shall set these my words, therefore, upon your heart and upon your soul: and ye shall bind them for a sign upon your hand, and they shall be for frontlets between your eyes. And ye shall teach them to your children, talking of them, when thou sittest in thine house, and when thou walkest by the way, and when thou liest down, and when thou risest up. And thou shalt write them upon the door posts of thine house, and upon thy gates: that your days may be multiplied, and the days of your children, upon the land which Jahveh sware unto your fathers

to give them, as the days of the heavens upon the earth.

For if ye shall diligently keep all this Commandment which I command you, to do it: to love Jahveh your God, to walk in all his ways, and to cleave unto him: then will Jahveh drive out all these nations <sup>23</sup> from before you: and ye shall possess nations greater and mightier than yourselves. Every place whereon <sup>24</sup> the sole of your foot shall tread shall be yours: from the wilderness, and Lebanon, from the river, the river Euphrates, even unto the hinder sea shall be your border. No man shall maintain a stand against you. <sup>25</sup> The fear of you, and the dread of you shall Jahveh your God lay upon all the land that ye tread upon, as he hath spoken unto you.

Behold, I set before you this day a blessing and a <sup>26</sup> curse: the blessing, if ye shall hearken unto the Commandment of Jahveh your God, which I command you <sup>27</sup> this day: and the curse, if ye shall not hearken unto <sup>28</sup> the Commandment of Jahveh your God, but turn aside out of the way which I command you this day, to go after other gods, which ye have not known.

For it shall be, if thou shalt diligently hearken unto <sup>xxviii, 1\*</sup> the voice of Jahveh thy God, to observe to do all his Commandment which I command thee this day, that <sup>2a</sup> all these blessings shall come upon thee, and overtake thee. Jahveh shall deliver thine enemies that rise up <sup>7</sup> against thee to be smitten before thee: they shall come out against thee one way, and shall flee before thee seven ways. Jahveh shall command the blessing <sup>8</sup> upon thee in thy barns, and in all that thou putteth thine hand unto: and he shall bless thee in the land which Jahveh thy God giveth thee. Jahveh shall <sup>9</sup> establish thee for an holy people unto himself, as he

Deut.  
xxviii, 10

- hath sworn unto thee: if thou shalt keep the Commandment of Jahveh thy God, and walk in his ways.
- And all the peoples of the earth shall see that thou art called by the name of Jahveh: and they shall be
- 11 afraid of thee. And Jahveh shall make thee plenteous for good, in the fruit of thy body, and in the fruit of thy cattle, and in the fruit of thy ground, in the land which Jahveh sware unto thy fathers to give thee.
- 12 Jahveh shall open unto thee his good treasury the heaven, to give the rain of thy land in its season, and to bless all the work of thine hand. And thou shalt lend unto many nations, and thou shalt not borrow.
- 13 And Jahveh shall make thee the head, and not the tail: and thou shalt be above only, and thou shalt not be beneath: if thou shalt hearken unto the Commandment of Jahveh thy God, which I command thee this
- 14 day, to observe and to give performance, and shalt not turn aside from all the words which I command you this day, to the right hand, or to the left, to go after other gods to serve them.
- 15 But it shall be, if thou wilt not hearken unto the voice of Jahveh thy God, to observe to do all his Commandment which I command thee this day, that all these curses shall come upon thee, and overtake
- 20 thee. Jahveh shall send upon thee execration, discomfiture, and rebuke, in all that thou puttest thine hand unto to do, until thou be destroyed, and until thou perish quickly: because of the evil of thy doings,
- 21 whereby thou hast forsaken me. Jahveh shall cause the pestilence to cleave unto thee, until he have consumed thee from off the land, whither thou comest
- 22 to possess it. Jahveh shall smite thee with consumption, and with fever, and with inflammation, and with fiery heat, and with drought, and with blasting, and

with mildew : and they shall pursue thee until thou  
 perish. And thy heaven that is over thy head shall Deut.  
xxviii, 23  
 be brass, and the earth that is under thee shall be iron.  
 Jahveh shall make the rain of thy land powder and 24  
 dust : from heaven shall it come down upon thee, until  
 thou be destroyed. Jahveh shall deliver thee to be 25a  
 smitten before thine enemies : thou shalt go out one  
 way against them, and shalt flee seven ways before  
 them. The stranger that is in the midst of thee shall 43  
 mount up above thee higher and higher : and thou  
 shalt come down lower and lower. He shall lend to 44  
 thee, and thou shalt not lend to him : he shall be the  
 head, and thou shalt be the tail. And all these curses 45  
 shall come upon thee, and shall pursue thee, and  
 overtake thee, till thou be destroyed : because thou  
 hearkenedst not unto the voice of Jahveh thy God,  
 to keep his Commandment which he commanded  
 thee.

For this Commandment which I command thee xxx, 11  
 this day, it is not too difficult for thee, neither is it  
 far off. It is not in heaven that thou shouldest say, 12  
 Who shall go up for us to heaven, and bring it unto  
 us, and make us to hear it, that we may do it.  
 Neither is it beyond the sea, that thou shouldest say, 13  
 Who shall go over the sea for us, and bring it unto  
 us, and make us to hear it, that we may do it? But 14  
 the word is very nigh unto thee, in thy mouth, and  
 in thy heart, that thou mayest do it.

See, I have set before thee this day life and good, 15  
 and death and evil. If thou shalt hearken to the 16  
 Commandment of Jahveh thy God which I command  
 thee this day, to love Jahveh thy God, to walk in his  
 ways, and to keep his Commandment, then thou shalt  
 live and multiply, and Jahveh thy God shall bless thee

Deut.  
xxxI, 12

come to appear before Jahveh thy God in the place which he shall choose, thou shalt read this *Torah* before all Israel in their hearing. Assemble the people, the men, and the women, and the little ones, and thy stranger that is within thy gates, that they may hear, and that they may learn, and fear Jahveh your God, 13 and observe to do all the words of this *Torah*: and that their children, which have not known, may hear, and learn to fear Jahveh your God, as long as ye live in the land whither ye are passing over the Jordan to possess it.

### III.

#### OUTLINE OF THE FIRST COMBINED EDITION OF *THE MISVAH AND THE TORAH.*

IV, 45ab  
46bc

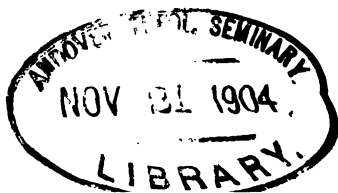
This is the Testimony which Moses spake unto the children of Israel in the land of Sihon king of the Amorites, who dwelt in Heshbon, whom Moses and the children of Israel smote when they had gone forth from Egypt.

v, 1a And Moses called unto all Israel, and said unto  
2 them, Jahveh our God made a Covenant with us in  
3 Horeb, (Not with our fathers did Jahveh make this  
Covenant, but with us, even us, who are all of us here  
4 alive at this day. Face to face did Jahveh speak with  
IV, 10 you in the mount out of the midst of the fire, the day  
that thou stoodest before Jahveh thy God in Horeb) in

that Jahveh said unto me, Assemble me the people,  
that I may make them hear my words, so that they  
may learn to fear me all the days that they live upon  
the earth, and that they may teach their children.  
And ye came near and stood under the mountain : and  
the mountain burned with fire unto the heart of the  
heavens, with darkness, cloud, and thick darkness.  
And Jahveh spake unto you out of the midst of the  
fire : a sound of words ye heard, but no form did  
ye see, only a sound. And he declared unto you his  
Covenant, which he commanded you to perform, the  
ten words, and he wrote them upon two tables of stone.  
And as for me, Jahveh commanded me at that time to  
teach you, that ye might give performance in the land  
whither ye are passing over to possess it. Take ye  
therefore good heed unto yourselves, for ye did not see  
any form on the day that Jahveh spake unto you in  
Horeb out of the midst of the fire, lest ye act corruptly,  
and make to yourselves a graven image of a form  
of anything, and lest thou lift up thine eyes unto the  
heavens, and when thou seest the sun and the moon  
and the stars, even all the host of heaven, thou be  
drawn away and worship them, and serve them, which  
Jahveh thy God hath divided unto all the peoples  
under the whole heaven. Whereas you hath Jahveh  
taken, and brought you forth out of the iron furnace,  
even out of Egypt, to be unto him a people of inheri-  
tance, as at this day.

Deut.  
iv, 11

Moreover Jahveh was angry with me on your  
account, and swore that I should not pass over the  
Jordan, and that I should not come unto the good land  
which Jahveh thy God is giving thee for an inheritance.  
For I am going to die in this land : I shall not pass  
over the Jordan. But ye are going to pass over, and



- <sup>Deut.</sup>  
<sup>av, 23</sup> shall possess that good land. Take heed unto yourselves lest ye forget the Covenant of Jahveh your God, which he made with you, and make you a graven  
<sup>24</sup> image of a form of anything: for Jahveh thy God, he is a devouring fire, a jealous God.
- <sup>25</sup> When thou shalt beget sons and sons' sons, and ye shall have been long settled in the land, and shall corrupt yourselves, and make a graven image of a form of anything, and shall do that which is evil in  
<sup>26</sup> the sight of Jahveh thy God, to grieve him: I call heaven and earth to witness against you this day, that ye shall surely perish quickly from off the land whither ye are passing over the Jordan to possess it: ye shall not prolong your days upon it, but shall surely be destroyed.
- <sup>32</sup> For ask now of the days that are past, which were before thee, since the day that God created man upon the earth, and from the one end of the heavens unto the other end of the heavens, whether there hath ever been anything like this great thing, or hath been  
<sup>33</sup> heard like it? Did ever a people hear the voice of God speaking out of the midst of the fire, as thou  
<sup>34</sup> hast heard, and live? Or hath God assayed to go and take him a nation from the midst of another nation, by temptations, and by signs, and by wonders, and by war, and by a strong hand, and by a stretched out arm, and by great terrors, according to all that Jahveh your God did for you in Egypt before your  
<sup>35</sup> eyes? Unto thee it was shewed, that thou mightest know that Jahveh, he is the God; there is none else  
<sup>36</sup> beside him. Out of heaven he made thee to hear his voice, to instruct thee: and upon the earth he made thee to see his great fire: and thou heardest his  
<sup>37</sup> words out of the midst of the fire. And because he

loved thy fathers, therefore he chose their seed after them, and brought thee out with his presence, with his great power, out of Egypt: to dispossess nations from before thee greater and mightier than thou, to bring thee in, to give thee their land for an inheritance, as at this day. Know therefore this day, and lay it to thine heart, that Jahveh he is God in the heavens above and upon the earth beneath, there is none else. Deut.  
iv, 38

Ye shall observe to do therefore, as Jahveh your God hath commanded you: ye shall not turn aside to the right hand nor to the left. In all the way that Jahveh your God hath commanded you shall ye walk, in order that ye may live, and that it may be well with you, and that ye may prolong your days in the land which ye shall possess. v, 29

Now this is the Commandment which Jahveh your God hath commanded to teach you, to give performance in the land whither ye are passing over to possess it, in order that thou mayest fear Jahveh thy God, thou, and thy son, and thy son's son, all the days of thy life, and in order that thy days may be prolonged. vi, 1

[VI, 3—IX, 6: X, 12—XI, 5: XI, 7—25.]

Behold, I set before you this day a blessing and a curse: the blessing, if ye shall hearken unto the Commandment of Jahveh your God, which I command you this day: and the curse, if ye shall not hearken unto the Commandment of Jahveh your God, but turn aside out of the way which I command you this day, to go after other gods, which ye have not known. xi, 26  
27  
28

And it shall be that when Jahveh thy God shall bring thee unto the land whither thou art coming to 29



possess it, thou shalt put the blessing upon mount Gerizim, and the curse upon mount Ebal.

Deut.  
iv, 44

45c

46a

And this is the *Torah* which Moses set before the children of Israel when they had gone forth from Egypt, on the other side of the Jordan, in the valley over against Beth-Peor.

iv, 1

And now, Israel, hearken unto the statutes and unto the judgments which I teach you, to do them: that ye may live and come and possess the land which  
 2 Jahveh the God of your fathers giveth you. Ye shall not add unto the word which I command you, neither shall ye diminish from it, that ye may keep the Commandment of Jahveh your God, which I command  
 3 you. Your eyes have seen what Jahveh did because of Baal-Peor: for all the men that followed Baal-Peor, Jahveh thy God hath destroyed them from the midst  
 4 of thee. But ye that did cleave unto Jahveh your  
 xi, 31 God are living, all of you, this day. For ye are going to pass over the Jordan, to come to possess the land which Jahveh your God is giving unto you. So when  
 32 ye shall possess it, and dwell in it, observe to do all the statutes and the judgments which I am putting before you this day.

[XII—XXVI, 15.]

iv, 5

Behold, I have taught you statutes and judgments, even as Jahveh my God commanded me, that ye should give performance accordingly in the midst of  
 6 the land whither ye are coming to possess it. Observe therefore and give performance, for that is your wisdom and your prudence in the sight of the peoples who shall hear all these statutes and shall say, Surely a wise and understanding people is this great nation!

For what great nation is there, that hath a God so  
 nigh unto them, as Jahveh our God is whensoever we  
 call upon him? And what great nation is there that  
 hath statutes and judgments so righteous as all this  
*Torah* which I am putting before you this day.

Deut.  
 iv, 7

Thou hast made Jahveh promise this day to be to  
 thee for a God, and to set thee on high above all  
 nations which he hath made, for a praise, and for a  
 name, and for an honour: and Jahveh hath made thee  
 promise this day to be to him a people of special  
 possession, as he hath said unto thee, and to walk in  
 his ways, and keep his statutes and his Command-  
 ment, and to hearken unto his voice, and to be an  
 holy people unto Jahveh thy God.

xxvi, 17, 19\*

18, 19\*

And Moses and the elders of Israel commanded the  
 people saying, Keep all the Commandment which I  
 command you this day. And it shall be on the day  
 when ye pass over the Jordan unto the land which  
 Jahveh thy God giveth thee, that thou shalt set thee  
 up great stones, and plaister them with plaister: and  
 thou shalt write upon them all the words of this  
*Torah*, when thou art passed over: that thou mayest  
 come unto the land which Jahveh thy God giveth  
 thee, a land flowing with milk and honey, as Jahveh  
 the God of thy fathers hath said unto thee. And it  
 shall be when ye are passed over the Jordan, that thou  
 shalt build there an altar unto Jahveh thy God, an altar  
 of stones: thou shalt not lift up iron upon them: of  
 unhewn stones shalt thou build the altar of Jahveh thy  
 God: and thou shalt offer burnt offerings thereon unto  
 Jahveh thy God: and thou shalt sacrifice peace offer-  
 ings, and shalt eat there: and thou shalt rejoice before  
 Jahveh thy God. And thou shalt write upon the  
 stones all the words of this *Torah* very plainly.

xxvii 1

2

3

4

5

6

7

8

Deut.  
xxvii, 9

And Moses and the priests the Levites spake unto all Israel, saying, Keep silence and hearken, O Israel : this day thou art become a people unto Jahveh thy  
10 God. Thou shalt therefore hearken unto the voice of Jahveh thy God, and do his Commandment, and his statutes, which I command thee this day.

11 And Moses commanded the people in that day  
12 saying, These shall stand to bless the people upon mount Gerizim, when ye have passed over the Jordan : Simeon, and Levi, and Judah, and Issachar, and  
13 Joseph, and Benjamin : and these shall stand concerning the curse upon mount Ebal : Reuben, Gad, and  
14 Asher, and Zebulun, Dan, and Naphtali. And the Levites shall proceed to say unto every man of Israel with a loud voice,

xxviii, 26

If thou shalt hearken unto the voice of Jahveh thy God,

3 Blessed shalt thou be in the city, and  
Blessed shalt thou be in the field :

4 Blessed shall be the fruit of thy body, and the  
fruit of thy ground, and the fruit of thy  
cattle, the increase of thy kine, and the  
young of thy flock :

5 Blessed shall be thy basket and thy kneading-  
trough :

6 Blessed shalt thou be when thou comest in, and  
Blessed shalt thou be when thou goest out.

15a\* But if thou shalt not hearken unto the voice of  
Jahveh thy God,

16 Cursed shalt thou be in the city, and  
Cursed shalt thou be in the field :

17 Cursed shall be thy basket and thy kneading-  
trough :

Cursed shall be the fruit of thy body, and the <sup>Deut.</sup> xxviii, 18  
fruit of thy ground, the increase of thy kine,  
and the young of thy flock :

Cursed shalt thou be when thou comest in, and 19

Cursed shalt thou be when thou goest out.

Cursed be whosoever confirmeth not the words of this xxviii, 26  
*Torah* to do them. And all the people shall say, Amen.

For it shall be, if thou shalt diligently hearken unto xxviii, 1  
the voice of Jahveh thy God, to observe to do all his  
Commandment which I am commanding thee this day,  
that Jahveh thy God shall set thee on high above all  
the nations of the earth, and all these blessings shall 2  
come upon thee and overtake thee. Jahveh shall 7  
deliver thine enemies that rise up against thee to be  
smitten before thee. They shall come out against thee  
one way, and shall flee before thee seven ways. Jahveh 8  
shall command the blessing upon thee in thy barns, and  
in all that thou puttest thine hand unto : and he shall  
bless thee in the land which Jahveh thy God giveth  
thee. Jahveh shall establish thee for an holy people 9  
unto himself, as he hath sworn unto thee : if thou shalt  
keep the Commandment of Jahveh thy God, and walk  
in his ways. And all the peoples of the earth shall see 10  
that thou art called by the name of Jahveh, and they  
shall be afraid of thee. And Jahveh shall make thee 11  
plenteous for good, in the fruit of thy body, and in the  
fruit of thy cattle, and in the fruit of thy ground, in  
the land which Jahveh sware unto thy fathers to give  
thee. Jahveh shall open unto thee his good treasury 12  
the heaven, to give the rain of thy land in its season,  
and to bless all the work of thy hand. And thou shalt  
lend unto many nations, and thou shalt not borrow. 13  
And Jahveh shall make thee the head, and not the tail :  
and thou shalt be above only, and thou shalt not be

Deut.  
xxviii, 14

beneath : if thou shalt hearken unto the Commandment of Jahveh thy God, which I command thee this day to observe and to give performance, and shalt not turn aside from all the words which I command you this day, to the right hand or to the left, to go after other gods to serve them.

- 15 But it shall be, if thou wilt not hearken unto the voice of Jahveh thy God, to observe to do all his Commandment and his statutes which I command thee this day, that all these curses shall come upon  
20 thee, and overtake thee. Jahveh shall send upon thee execration, discomfiture, and rebuke, in all that thou puttest thine hand unto to do, until thou be destroyed, and until thou perish quickly : because of the evil of  
21 thy doings, whereby thou hast forsaken me. Jahveh shall cause the pestilence to cleave unto thee, until he have consumed thee from off the land whither thou  
22 comest to possess it. Jahveh shall smite thee with consumption, and with fever, and with inflammation, and with fiery heat, and with drought, and with blasting, and with mildew : and they shall pursue thee until  
23 thou perish. . And thy heaven that is over thy head shall be brass, and the earth that is under thee shall be  
24 iron. Jahveh shall make the rain of thy land powder and dust : from heaven shall it come down upon thee,  
25a until thou be destroyed. Jahveh shall deliver thee to be smitten before thine enemies : thou shalt go out one way against them, and shalt flee seven ways before  
43 them. The stranger that is in the midst of thee shall mount up above thee higher and higher ; and thou  
44 shalt come down lower and lower. He shall lend to thee, and thou shalt not lend to him : he shall be the  
45 head, and thou shalt be the tail. And all these curses shall come upon thee, and shall pursue thee, and

overtake thee, till thou be destroyed : because thou hearkenedst not unto the voice of Jahveh thy God, to keep his Commandment and his statutes which he commanded thee.

For this Commandment which I command thee this day, it is not too difficult for thee, neither is it far off. It is not in heaven that thou shouldest say, Who shall go up for us to heaven, and bring it unto us, and make us to hear it that we may do it? Neither is it beyond the sea that thou shouldest say, Who shall go over the sea for us, and bring it unto us, and make us to hear it, that we may do it? But the word is very nigh unto thee, in thy mouth, and in thy heart, that thou mayest do it.

See, I have set before thee this day life and good, and death and evil. If thou shalt hearken to the commandment of Jahveh thy God, which I command thee this day, to love Jahveh thy God, to walk in his ways, and to keep his Commandment, and his statutes, and his judgments, then thou shalt live and multiply, and Jahveh thy God shall bless thee in the land whither thou comest to possess it. But if thine heart turn away and thou wilt not hear, but shalt be drawn away and worship other gods and serve them : I declare unto you this day that ye shall surely perish : ye shall not prolong your days upon the land whither thou passest over the Jordan to come to possess it. I call heaven and earth to witness against you this day that I have set before thee life and death, the blessing and the curse : therefore choose life that thou mayest live, thou and thy seed : to love Jahveh thy God, to obey his voice, and to cleave unto him : for that is thy life, and the length of thy days : that thou mayest dwell in the land which Jahveh sware unto thy

Deut.  
xxx, 11

12

13

14

15

16

17

18

19

20

fathers, to Abraham, to Isaac, and to Jacob, to give them.

Deut.  
xxxii, 9

And Moses wrote this *Torah*, and delivered it unto the priests, the sons of Levi, who bare the ark of the Covenant of Jahveh, and unto all the elders of Israel.  
 10 And Moses commanded them saying, At the end of every seven years, in the set time of the year of release,  
 11 in the feast of tabernacles, when all Israel is come to appear before Jahveh thy God in the place which he shall choose, thou shalt read this *Torah* before all  
 12 Israel in their hearing. Assemble the people, the men and women, and the little ones, and thy stranger that is within thy gates, that they may hear, and that they may learn, and fear Jahveh your God, and observe to  
 13 do all the words of this *Torah*, and that their children which have not known, may hear, and learn to fear Jahveh your God, as long as ye live in the land whither ye are passing over the Jordan to possess it.

Deut.  
xxxii, 45

And Moses made an end of speaking all these words  
 46 to all Israel, and he said unto them, Set your heart unto all the words which I testify unto you this day, which you shall command your children to observe to  
 47 do,—all the words of this *Torah*. For it is not too light a matter for you, for it is your life, and through this thing you shall prolong your days upon the land whither ye are passing over Jordan to possess it.





fathers, to Abraham, to Isaac, and to Jacob, to give them.

Deut.  
xxxii, 9

And Moses wrote this *Torah*, and delivered it unto the priests, the sons of Levi, who bare the ark of the Covenant of Jahveh, and unto all the elders of Israel.

- 10 And Moses commanded them saying, At the end of every seven years, in the set time of the year of release,  
11 in the feast of tabernacles, when all Israel is come to appear before Jahveh thy God in the place which he shall choose, thou shalt read this *Torah* before all  
12 Israel in their hearing. Assemble the people, the men and women, and the little ones, and thy stranger that is within thy gates, that they may hear, and that they may learn, and fear Jahveh your God, and observe to  
13 do all the words of this *Torah*, and that their children which have not known, may hear, and learn to fear Jahveh your God, as long as ye live in the land whither ye are passing over the Jordan to possess it.

Deut.  
xxxiii, 45

- And Moses made an end of speaking all these words  
46 to all Israel, and he said unto them, Set your heart unto all the words which I testify unto you this day, which you shall command your children to observe to  
47 do,—all the words of this *Torah*. For it is not too light a matter for you, for it is your life, and through this thing you shall prolong your days upon the land whither ye are passing over Jordan to possess it.

